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SESSION
FEBRUARY 9th to APRIL 3rd
1928


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No. 1. 1928.

BILL

An Act respecting the Town of New Toronto.

Preamble.

WHEREAS the municipal council of the corporation of the town of New Toronto has by petition represented that in compliance with the requisition of the public library board of the said town of New Toronto, By-law No. 675 was passed by the council of the said town on the 12th day of September, 1927, for the purpose of raising $15,300 for the erection and equipping of a building for public library purposes; and whereas it is desirable that such by-law set out as schedule "A" hereto, and the debentures issued or to be issued thereunder be validated and confirmed; and whereas the said corporation by its petition has prayed that an Act may be passed for such purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of New Toronto Act, 1928.*

By-law No. 675 confirmed.

2. By-law No. 675 of the corporation of the town of New Toronto set out as schedule "A" to this Act, and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the corporation and the ratepayers thereof.

Application of proceeds of debentures.

3. The debentures and all moneys arising from the sale thereof shall be applied for the purpose of acquiring a site and of erecting the necessary buildings according to the tenor of the said by-law, and for no other purpose.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

Town of New Toronto By-law No. 675.

A by-law to authorize the issue of public library debentures to the amount of $15,300.00, for the erection and equipping of a building for public library purposes.

Whereas by *The Public Libraries Act* the Council may on a requisition of the Public Library Board raise by a special issue of debentures of the municipality to be termed "Public Library Debentures" such sums as may be required for the purpose of acquiring a site or of erecting the necessary buildings;

And whereas the Public Library Board of the Town of New Toronto have applied to this Council to raise or borrow the sum of $15,300.00 for the purpose of erecting and equipping a library building;

And whereas it is necessary to raise by way of loan on the credit of the said Corporation a sum of $15,300.00 for the said purposes;

And whereas the amount of the whole rateable property of the Town of New Toronto according to the last revised assessment roll of the said Town of New Toronto, is $7,106,444, including $3,447,307 liable for taxation for school purposes only, and which is exempt from general taxation;

And whereas the amount of the existing debenture debt of the Corporation exclusive of local improvement debts secured by special rates or assessments, is $745,271.84, and none of the principal or interest is in arrear;

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during a period of twenty years from the date of issue of the said debentures of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount payable for principal and interest in each of such other years;

And whereas it will require the sums set forth in the schedule contained in Section III hereof to be raised only for a period of twenty years, the currency of the debenture to be issued under and by virtue of this by-law, to pay the yearly sums of principal and interest as they shall fall due;

And whereas the sum of $15,300.00 is the debt intended to be created by this by-law;

And whereas it is necessary that such annual sums shall be raised and levied in each year during the said period of twenty years by a special rate sufficient therefor on all the rateable property in the municipality of the Town of New Toronto.

Therefore the Council of the Town of New Toronto enacts as follows:

I.

It shall be lawful for the Mayor and Treasurer to raise by way of loan upon the security of the debentures hereinafter mentioned from any person, or persons, body, or body corporate who may be willing to advance the same upon the credit of such debentures, a sum of money not exceeding in the whole the sum of $15,300.00, and to cause the same to be paid into the hands of the said Treasurer for the purposes and with the objects above recited.

II.

It shall be lawful for the Mayor and Treasurer to cause any number of debentures to be made for such sums of money as may be required for the purposes aforesaid, and the said debentures as to both principal and

interest shall be expressed in Canadian currency and may be payable at any place or places in Canada or Great Britain, and the said debentures shall be sealed with the seal of the Corporation and shall be signed by the Mayor and Treasurer. The signature of the Treasurer upon the coupons may be written, stamped, lithographed or engraved.

III.

The said debentures shall bear date the 1st day of October, 1927, and shall be made payable in twenty annual instalments during the twenty years after the 1st day of October, 1927, and shall be made payable in Canadian currency in Canada, Great Britain or elsewhere, and shall have attached to them coupons for the payments of interest with a facsimile of the signature of the Treasurer stamped, engraved or lithographed thereon, and the respective amounts of principal and interest payable in each of such years shall be as follows:

SCHEDULE OF ANNUAL PAYMENTS OF PRINCIPAL AND INTEREST AND THE SUM TO BE RAISED AND LEVIED.

No.	Principal	Interest	Total
1	$462 71	$765 00	$1,227 71
2	485 85	741 86	1,227 71
3	510 15	717 56	1,227 71
4	535 65	692 06	1,227 71
5	562 43	665 28	1,227 71
6	590 55	637 16	1,227 71
7	620 08	607 63	1,227 71
8	651 09	576 62	1,227 71
9	683 64	544 07	1,227 71
10	717 82	509 89	1,227 71
11	753 70	474 01	1,227 71
12	791 41	436 30	1,227 71
13	830 97	396 74	1,227 71
14	872 50	355 21	1,227 71
15	916 14	311 57	1,227 71
16	961 97	265 74	1,227 71
17	1,010 05	217 66	1,227 71
18	1,060 56	167 15	1,227 71
19	1,113 57	114 14	1,227 71
20	1,169 16	58 55	1,227 71

IV.

The said debentures shall bear interest at the rate of five per cent. (5%) per annum from the 1st day of October, 1927, which interest shall be payable yearly on the 1st day of October in each year at the place where the said debentures are made payable.

V.

During the currency of the debentures to be issued under the authority of this by-law the sum set forth in section III hereof shall be raised and levied annually by a special rate in the dollar upon all the assessed value of all the rateable property in the Town of New Toronto for payment of the said instalments of principal and interest as provided by the schedule herein set forth.

VI.

The debentures may contain any clause providing for the registration thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof.

VII.

This by-law shall take effect on, from and after the passing thereof.

Passed this 12th day of September, 1927.

(Sgd.) G. C. WARNER,
Mayor.

(Sgd.) W. H. C. MILLARD,
Clerk.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act respecting the Town of New Toronto.

1st Reading

February 14th, 1928.

2nd Reading

February 29th, 1928.

3rd Reading

March 12th, 1928.

MR. MACAULAY.

TORONTO:
Printed by
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No. 2. 1928.

BILL

An Act respecting the Municipality of Shuniah.

Preamble. WHEREAS the corporation of the municipality of Shuniah, in the district of Thunder Bay, has by its petition prayed for special legislation confirming all tax sales held by it prior to the 31st day of December, 1926, and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Municipality of Shuniah Act, 1928*.

Confirmation of tax sales and deeds. **2.** All sales of lands within the municipality of Shuniah, held prior to the 31st day of December, 1926, and which purport to be made by the corporation of the said municipality, or any official or officials thereof, for arrears of taxes in respect to the lands so sold, are validated and confirmed, and all deeds of lands so sold, executed by the reeve and treasurer of the said municipality, purporting to convey the said lands so sold to the purchaser thereof, or his assigns, are validated and confirmed, and shall have the effect of vesting the lands so sold and conveyed or purported to be sold and conveyed, and the same are vested in the purchaser or his assigns and his and their heirs and assigns, in fee simple, free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon except taxes accrued since those for non-payment whereof the said lands were sold.

Where municipality is purchaser. **3.** Section 2 shall extend and apply to cases where the municipality or any one in trust for it or on its behalf became the purchaser of the lands.

Pending litigation not affected. **4.** Nothing in this Act contained shall affect any action, litigation or other proceeding now pending, but the same

may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

Not to apply to lands forfeited under Rev. Stat., c. 28.

5. This Act shall not apply to lands forfeited to the Crown under *The Mining Tax Act*.

Commencement of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

No. 2.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting the Municipality of Shuniah.

1st Reading,	1928.
2nd Reading,	1928.
3rd Reading,	1928.

(*Private Bill.*)

MR. HOGARTH.

TORONTO:
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No. 3. 1928.

BILL

An Act respecting the Township of Tisdale.

Preamble.

WHEREAS the corporation of the township of Tisdale has by its petition represented that there is a floating indebtedness of the township of Tisdale amounting to the sum of $100,000, which has been accumulating for several years, by reason of expenditures heretofore made and required, interalia, for the repairing of roads and sidewalks, torn up in the installation of sewage and waterworks systems, for fire hose, snow-plough, police car, and other equipment and for roads and bridges and for other purposes within the powers of the council, and being for the benefit of the ratepayers; and to meet such extraordinary expenditures the said sum of $100,000 has been borrowed from the Imperial Bank of Canada from time to time; which floating indebtedness, if paid out of the current revenue would unduly burden and be oppressive upon the ratepayers of the said township of Tisdale and the said township of Tisdale has prayed that the said floating debt of $100,000 may be consolidated, and that the borrowing of sufficient money by the issue of debentures by the said Corporation to discharge the said debt may be authorized; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Township of Tisdale Act, 1928.*

Floating debt consolidated at $100,000.

2. The floating debt of the corporation of the township of Tisdale is consolidated at the sum of $100,000, and the said corporation may borrow by a special issue of debentures a sum not exceeding $100,000 for the purpose of paying the said floating debt.

Term of debentures.

3. The said debentures shall be made payable in not more than twenty years from the date of issue thereof and

shall bear interest at a rate not exceeding five and one-half per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation deems expedient, and shall bear date the 15th day of October, 1927.

Equal annual instalments of principal and interest.

4. The said debentures shall be payable in equal annual instalments of principal and interest in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Special rate.

5. The said corporation shall levy in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application of proceeds.

6. The debentures and all monies arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose.

Assent of electors not required.

7. It shall not be necessary to obtain the assent of the electors of the township of Tisdale to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat., c. 233.

Irregularity in form not to invalidate.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest, or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to keep proper books of account.

9. It shall be the duty of the treasurer for the time being, of the said township to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and pay-

able, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures and the application which shall from time to time, be made of the said amounts; and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said township, and of any of the holders, from time to time of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

10. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

No. 3.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting the Township of Tisdale.

1st Reading,	1928.
2nd Reading,	1928.
3rd Reading,	1928.

(*Private Bill.*)

MR. KENNING.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 4. 1928.

BILL

An Act respecting the City of Brantford.

Preamble.

WHEREAS the corporation of the city of Brantford has by petition represented that it is desirable that the Housing Commission of the city of Brantford be authorized to sell to any person or persons, or any company or corporation, any or all of the houses erected by the said Commission by public or private tender or by public auction or by private sale, and that the council of the corporation of the city of Brantford be enabled to borrow money from time to time on debentures of the said corporation payable within five years from their date of issue (without submitting such by-law for the issue of same to the electors for their assent) to provide an amount equal to the difference between the sale price of such houses as may be sold for less than the actual cost thereof and the actual cost thereof, and to authorize the said commission to rent said houses; and to validate By-law No. 2104 of the corporation of the city of Brantford to provide a pension to Sergeant John Wallace; and whereas the said corporation has by its said petition prayed that an Act may be passed for the purposes aforesaid; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Brantford Act, 1928.*

Power to sell certain houses.

2.—(1) The Housing Commission of the city of Brantford may, with the consent of the council of the corporation of the city of Brantford, from time to time, sell to any person or persons or any company or corporation, any, or all of the houses erected by the said commission, by public or private tender, or by public auction, or by private sale, at such prices, which may in any case be less than the actual cost thereof, and upon such conditions and terms of payment as may be approved of by the said council, and the sales of any houses erected by the said commission which have been sold for less than the actual cost thereof, are hereby ratified and confirmed.

Power to issue debentures.

(2) The council of the corporation of the city of Brantford may provide for borrowing money from time to time upon debentures of the said corporation, payable within five years from their date of issue (without submitting the by-law for the issue of the same to the electors for their assent) such sum or sums of money as may be necessary to produce an amount equal to the difference between the sale prices of such houses, which have been sold, or may be sold, for less than the actual cost thereof, and the actual cost thereof.

Power to rent.

(3) The said commission, pending the sale of any houses which are, or shall, remain unsold, or which it may be necessary for the said commission, from time to time to resell, may rent to any person or persons or any company or corporation such houses from time to time, for such terms and at such rentals and upon such conditions as the council of the said corporation shall approve of.

By-law No. 2104 confirmed.

3. By-law No. 2104 of the corporation of the city of Brantford, passed on the nineteenth day of December, 1927, entitled "A By-law to provide a pension for Sergeant John Wallace," contained in schedule "A" hereto, is hereby ratified and confirmed, and is declared to be legal, valid and binding upon the said corporation.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

BY-LAW No. 2104 OF THE CORPORATION OF THE CITY OF BRANTFORD.

To provide a pension for Sergeant John Wallace.

WHEREAS the Municipal Council of the Corporation of the City of Brantford desires to provide a pension for Sergeant John Wallace in recognition of upwards of forty years' faithful and diligent service to the City of Brantford upon his retirement on account of ill health;

THEREFORE the Municipal Council of the Corporation of the City of Brantford enacts as follows:

1. A pension in the sum of one thousand dollars ($1,000.00) per annum payable in equal monthly instalments commencing on the first day of October, 1927, shall be paid to Sergenat John Wallace during the remainder of his lifetime, in recognition of his diligent and faithful service to the Corporation of the City of Brantford.

PASSED this 19th day of December, 1927.

(Sgd.) J. A. D. SLEMIN,
Mayor.

(Sgd.) ELLA RAND,
City Clerk pro tem.

No. 4.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting the City of Brantford.

1st	Reading,	1928.
2nd	Reading,	1928.
3rd	Reading,	1928.

(*Private Bill.*)

MR. MARTIN
(Brantford).

TORONTO:
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The Printer to the King's Most Excellent Majesty.

No. 4. 1928.

BILL

An Act respecting the City of Brantford.

Preamble.

WHEREAS the corporation of the city of Brantford has by petition represented that it is desirable that the Housing Commission of the city of Brantford be authorized to sell to any person or persons, or any company or corporation, any or all of the houses erected by the said Commission by public or private tender or by public auction or by private sale, and that the council of the corporation of the city of Brantford be enabled to borrow money from time to time on debentures of the said corporation payable within five years from their date of issue (without submitting such by-law for the issue of same to the electors for their assent) to provide an amount equal to the difference between the sale price of such houses as may be sold for less than the actual cost thereof and the actual cost thereof, and to authorize the said commission to rent said houses; and to validate By-law No. 2104 of the corporation of the city of Brantford to provide a pension to Sergeant John Wallace; and whereas the said corporation has by its said petition prayed that an Act may be passed for the purposes aforesaid; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Brantford Act, 1928*.

Power to sell certain houses.

2.—(1) The Housing Commission of the city of Brantford may, with the consent of the council of the corporation of the city of Brantford, from time to time, sell to any person or persons or any company or corporation, any, or all of the houses erected by the said commission, by public or private tender, or by public auction, or by private sale, at such prices, which may in any case be less than the actual cost thereof, and upon such conditions and terms of payment as may be approved of by the said council, and the sales of any houses erected by the said commission which have been sold for less than the actual cost thereof, are hereby ratified and confirmed.

Power to rent.

(2) The said commission, pending the sale of any houses which are, or shall, remain unsold, or which it may be necessary for the said commission, from time to time to resell, may rent to any person or persons or any company or corporation such houses from time to time, for such terms and at such rentals and upon such conditions as the council of the said corporation shall approve of.

By-law No. 2104 confirmed.

3. By-law No. 2104 of the corporation of the city of Brantford, passed on the nineteenth day of December, 1927, entitled "A By-law to provide a pension for Sergeant John Wallace," contained in schedule "A" hereto, is hereby ratified and confirmed, and is declared to be legal, valid and binding upon the said corporation.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

BY-LAW NO. 2104 OF THE CORPORATION OF THE CITY OF BRANTFORD.

To provide a pension for Sergeant John Wallace.

WHEREAS the Municipal Council of the Corporation of the City of Brantford desires to provide a pension for Sergeant John Wallace in recognition of upwards of forty years' faithful and diligent service to the City of Brantford upon his retirement on account of ill health;

THEREFORE the Municipal Council of the Corporation of the City of Brantford enacts as follows:

1. A pension in the sum of one thousand dollars ($1,000.00) per annum payable in equal monthly instalments commencing on the first day of October, 1927, shall be paid to Sergenat John Wallace during the remainder of his lifetime, in recognition of his diligent and faithful service to the Corporation of the City of Brantford.

PASSED this 19th day of December, 1927.

(Sgd.) J. A. D. SLEMIN,
Mayor.

(Sgd.) ELLA RAND,
City Clerk pro tem.

No. 4.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting the City of Brantford.

1st	Reading, 14th February,	1928.
2nd	Reading,	1928.
3rd	Reading,	1928.

(*Reprinted as amended by the Private Bills Committee.*)

MR. MARTIN
(Brantford).

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 5. 1928.

BILL

An Act respecting the Town of Port Hope.

Preamble. WHEREAS the municipal corporation of the town of Port Hope has by its petition represented that certain by-laws, the particulars of which are shown in the schedule hereto annexed marked "A," were duly passed by the council of the said corporation; that certain doubts have arisen as to the validity of the said by-laws; and that it is desirable that the said by-laws and the debentures issued or to be issued thereunder should be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

Short title. **1**. This Act may be cited as *The Town of Port Hope Act, 1928*.

Certain by-laws confirmed. **2**. The by-laws of the municipal corporation of the town of Port Hope, the particulars of which are shown in the schedule hereto annexed marked "A," and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commencement of Act. **3**. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

(*a*) By-law No. 1365, passed on the 24th day of October, 1927, authorizing the issue of debentures to the amount of $11,041.19 for certain sewers constructed as local improvements.

(*b*) By-law No. 1367, passed on the 21st day of November, 1927, authorizing the issue of debentures to the amount of $64,857.07 for certain sewers and pavements constructed as local improvements.

(*c*) By-law No. 1372, passed on the 22nd day of December, 1927, authorizing the issue of debentures to the amount of $77,725.25 for certain pavements constructed as local improvements.

No. 5.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting the Town of Port Hope.

1st Reading,	1928.
2nd Reading,	1928.
3rd Reading,	1928.

(*Private Bill.*)

MR. BRAGG.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 6. 1928.

BILL

An Act respecting the City of Hamilton.

Preamble.

WHEREAS the corporation of the city of Hamilton has by petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Hamilton Act, 1928*.

Power to issue debentures for certain purposes.

2. The council of the corporation of the city of Hamilton, may without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for borrowing the sum of $183,500, by the issue and sale of debentures payable at any time within thirty years, for the following purposes, namely,—

(*a*) The acquiring of certain lands, being part of lot No. 28 in the 2nd Concession of the township of Saltfleet in the county of Wentworth, for the establishment of an extension to the Hamilton cemeteries, the sum of.....	$58,500
(*b*) The erection of extensions and additions to the "Home for Aged and Infirm" (House of Refuge) to provide additional accommodation, the sum of.....	125,000
	$183,500

Power to The Railway and Municipal Board to amend certain orders.

3.—(1) Notwithstanding anything contained in any Act or order of The Railway and Municipal Board, or in any by-law of the council of the corporation of the city of Hamilton, the said board, in order to grant relief to the lands affected may, at any time or times, with the consent of the council of the corporation of the city of Hamilton, amend in any respect by a further order or orders, the terms of the

annexation orders issued by the said board, dated the 26th day of January, 1914, the 18th day of March, 1920 and the 11th day of March, 1924, annexing to the said city certain lands formerly in the township of Barton, in the county of Wentworth, and also the terms of any amendments to said orders made by the said board.

Application for amendment.

(2) Any application to the board to amend any of the said orders, may be made by the council or by at least twenty of the resident owners in any of the areas affected.

Agreement with Hamilton Harbour Commissioners ratified.

4. The agreement made between the corporation of the city of Hamilton and the Hamilton Harbour Commissioners, dated the 2nd day of November, 1927, as set forth in schedule "A" to this Act, is hereby ratified and confirmed and declared to be legal, valid and binding upon the parties thereto, and the said parties are hereby empowered to carry out their respective obligations and exercise their respective privileges thereunder.

Certain agreements ratified.

5. The agreement made between Reverend William T. Hallam, L. E. Wedd and C. A. Powis, being the Rector and Church Wardens of the Church of the Ascension in the city of Hamilton, and the corporation of the city of Hamilton, dated the 9th day of November, 1927, as set forth in schedule "B" to this Act, and the agreement made between Very Reverend L. W. B. Broughall, Stuart S. Dumoulin and C. E. Bull, being the Rector and Church Wardens of Christ's Church Cathedral in the said city, and the corporation of the city of Hamilton, dated the 9th day of November, 1927, as set forth in schedule "C" to this Act, are hereby ratified and confirmed and declared to be legal, valid and binding upon the parties thereto, and the said parties are hereby empowered to carry out their respective obligations and exercise their respective privileges thereunder, and the lands described in said agreements, shall upon delivery of the conveyances to the city corporation mentioned in said agreements vest in the corporation of the city of Hamilton, for the purpose of extending the Hamilton cemeteries, subject to the provisions of *The Cemetery Act* and regulations made thereunder, freed from all liens and charges whatsoever.

Rev. Stat., c. 317.

Agreement with T. Eaton Company Limited, ratified.

6. The agreement made between the corporation of the city of Hamilton and T. Eaton Company, Limited, dated the 27th day of December, 1927, as set forth in schedule "D" to this Act, is hereby ratified and confirmed and declared to be legal, valid and binding upon the parties thereto, and the said parties are hereby empowered to carry out their respective obligations and exercise their respective privileges thereunder.

Commencement of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

This Agreement made the second day of November, 1927.

Between:

THE HAMILTON HARBOUR COMMISSIONERS,
Hereinafter called the "Commissioners,"

of the first part;

and

THE CORPORATION OF THE CITY OF HAMILTON,
Hereinafter called the "City,"

of the second part.

Whereas by an Act of the Parliament of Canada, being Statutes of Canada, 2 Geo. V. (1912), Chapter 98, incorporating the Hamilton Harbour Commissioners the "Commissioners" were, for the purposes of and as provided in the said Act more particularly by Section 20 thereof given jurisdiction within the limits of the Harbour of Hamilton and empowered to make by-laws for the imposition and collection of rates, tolls and penalties and to commute any rates authorized by the Act to be levied, on such terms and conditions and for such sums of money as the "Commissioners" deem expedient.

And whereas the "Commissioners" have duly passed by-laws numbers 29 and 30 for imposing and collecting certain rates, which said by-laws were duly confirmed as required by the said Act and the "City" has requested and it has been agreed by and between the parties hereto that in commutation of the imposition and collection of said rates by the "Commissioners" the "City" shall for a period of ten years, commencing the 1st January, 1928, make an annual payment to the "Commissioners," such annual payment to be $10,000 for the years 1928, 1929, 1930, 1931 and 1932 and $12,000 for the years 1933, 1934, 1935, 1936, and 1937, at the times and upon the terms and subject to the conditions hereinafter reserved and contained.

Now this agreement witnesseth as follows:

1. The "Commissioners" hereby covenant and agree to and with the 'City" that annually for the years 1928 to 1937 inclusive the rates authorized to be imposed, levied and collected pursuant to the provisions of said By-law Number 29, confirmed by an Order-in-Council on the 8th day of October, A.D. 1913, or any other by-law of the "Commissioners" now or hereafter passed shall be commuted upon payment of the said sum as hereinafter provided. Provided however that this Agreement or any provision or condition herein contained shall not in any way restrict, prohibit or affect the imposition or collection of any charges, rates, tolls or rentals now or hereafter imposed by the "Commissioners" for wharfage, storage, warehousing or service charges for the use or occupation of any of the lands of the "Commissioners" or within their administration, or of the premises and appurtenances thereto or any interest therein or any buildings or erections thereon.

2. The "City" hereby covenants and agrees with the "Commissioners" that the "City" will make an annual payment to the "Commissioners," as follows:

For the years 1928 to 1932 inclusive, an annual payment of $10,000.

For the years 1933 to 1937 inclusive, an annual payment of $12,000.

Such annual payments shall be made on or before the first day of March in each and every year during the continuance of this Agreement.

Provided such payments are duly made on the said dates the "Commissioners" shall for the then current year commute (save as agreed by the preceding proviso) the rates authorized by said by-law 29 or any other by-law hereafter passed for their imposition and collection, and time is of the essence of this Agreement.

3. This Agreement shall have no force and effect (*a*) until confirmed as required by and pursuant to section 20 of the said Act, and (*b*) until the "City" is duly authorized to enter into such agreement by an Act of the Legislature of the Province of Ontario.

In witness whereof the parties hereto have hereunto set their hands and seals under the hands of their proper officers.

SIGNED, SEALED AND DELIVERED

in the presence of

THE HAMILTON HARBOUR COMMISSIONERS.

(Sgd.) WM. AINSLIE,
Chairman.

(Sgd.) THOS. COOK,
Secretary.

[Seal.

THE CORPORATION OF THE CITY OF HAMILTON.

(Sgd.) F. F. TRELEAVEN,
Mayor.

(Sgd.) S. H. KENT,
City Clerk.

Seal.]

SCHEDULE "B."

This agreement made in duplicate this ninth day of November, 1927.

between:

REVEREND WILLIAM T. HALLAM, L. E. WEDD, and C. A. P. POWIS,
all of the city of Hamilton in the county of Wentworth, being the Rector and Church Wardens of the Church of the Ascension in said city of Hamilton,

of the first part;

and

THE CORPORATION OF THE CITY OF HAMILTON,

of the second part.

Whereas by Deed dated the twenty-first day of July, 1876, Curtis Strong Chittenden of the said city of Hamilton, Dentist, and Caroline Young Chittenden, his wife, conveyed to the Rector and Church Wardens of the Church of the Ascension the lands and premises hereinafter secondly described.

And whereas by Deed bearing date the twenty-ninth day of April, 1893, Charles Lemon of the said city of Hamilton, Gentleman, conveyed the lands and premises firstly described to the Incumbent and Church Wardens of the said Church of the Ascension.

And whereas the lands and premises herein described were purchased for the purpose of converting the same as a Cemetery.

And whereas all the land hereinafter described suitable for cemetery purposes has been sold and the parties of the first part have been paying the Board of Managers of Hamilton Cemetery Sixty Dollars ($60.00) a year for superintending the said lands and premises, under an agreement between the parties hereto dated the first day of April, 1892, and confirmed by By-law No. "53" of the party of the second part, passed on the thirteenth day of June, 1892.

And whereas by an Agreement dated the thirtieth day of May, 1893, duly authorized by By-law No. 629 of the council of the corporation of the city of Hamilton passed on the thirteenth day of June, 1892 and By-law No. 53 of the Revised By-laws, 1910, the parties of the first part have been paying annually to the city corporation the sum of Sixty Dollars ($60.00) towards payment of the salaries of the superintendent and assistants of the Hamilton Cemeteries, and rules and regulations respecting the said Cemetery were agreed upon; and it is agreed that the said Agreements should be terminated upon the delivery of the Deeds of the lands hereinafter described.

This Agreement witnesseth that in pursuance of the premises and in consideration of the sum of One Dollar of lawful money of Canada now paid by the party of the second part to the parties of the first part, the receipt whereof is hereby by them acknowledged, the parties of the first part agree to convey to the party of the second part all and singular those certain parcels or tracts of land and premises, situate, lying and being in the city of Hamilton in the county of Wentworth and in the Province of Ontario, being composed of part of the land laid out by William Onyon, known as Vauxhall Gardens and registered in the Registry Office for the county of Wentworth as Plan No. 75, which parcels are shown coloured "red" on the attached plan and may be more particularly described as follows, that is to say:

Firstly, the whole of lot fifty-two (52) as shown on the said Registered Plan No. 75.

Secondly, the whole of that parcel shown on said Plan No. 75 marked "Cemetery," which parcel may be more particularly described as follows, that is to say:

Premising that the bearing of York Street as shown on the said Plan No. 75 to be south eleven degrees and forty-five minutes east (S. 11° 45' E.) then commencing at the northeast angle of Lot Seventeen (17) as shown on said Plan No. 75; thence on a course north eighty-six degrees

and fifteen minutes west (N. 86° 15'W.) four hundred and fifty feet (450'), thence on a course south four degrees and ten minutes west (S. 4° 10' W.) one hundred and twenty feet (120'), thence on a course south thirty degrees west (S. 30° W.) sixty feet (60') more or less to the northeast angle of Lot Fifty (50) as shown on said Plan No. 75, thence following the northern limit of Lots Fifty, Fifty-one and Fifty-two (50, 51 and 52) on a course north sixty-one degrees and ten minutes west (N. 61° 10' W.) one hundred and thirty-three feet, thence on a course north eighty-six degrees and fifteen minutes west (N. 86° 15' W.) along the northern limit of Lot Fifty-two (52) seventeen feet (17'), thence following along the western limit of Lot Fifty-two (52), one hundred and fifteen feet (115') to the northern limit of Jones Street thence on a course north sixty-one degrees and ten minutes west (N. 61° 10' W.) along the northern limit of Jones Street, one hundred and sixty-four feet six inches 164' 6") to the southeast angle of that portion marked "Reserve" on the said plan, thence along the easterly limit of said "Reserve" on a course north two degrees east (N. 2° E.) three hundred and thirty-seven feet (337') to the northern limit of said "Vauxhall Gardens Survey," thence along the northern limit of said Survey on a course south eighty-six degrees and fifteen minutes east (S. 86° 15' E.) seven hundred and sixty-five feet (765') to the western limit of York Street, thence on a course south eleven degrees and forty-five minutes east (S. 11° 45' E.) along the western limit of York Street, one hundred and eighty-five feet (185') more or less to the place of beginning, by a Deed under the Short Forms of Conveyances Act and containing no covenants express or implied other than the covenant "and the said Grantors release to the said Grantee all their claims to the said Lands," said Deed also to be subject to the Deeds of Graves which the Grantors and their predecessors in title have heretofore given.

And it is hereby agreed by and between the parties hereto that upon the delivery of the conveyance of the said lands to the City Corporation;

(*a*) The Agreements of the 30th April, 1892 and the 30th day of May, 1893 above referred to shall be terminated and put an end to and the parties of the first part shall thereupon be relieved of all further obligations to the party of the second part in respect of the said lands.

(*b*) That all receipts from said lands shall thereafter belong to the City Corporation, including receipts from the sale of lots and for "perpetual care fund," and that the parties of the first part shall make no claim therefor—and

(*c*) That the said Cemetery lands shall after such delivery be under the absolute control of the City Corporation.

The parties of the first part agree to join in any application to the Legislature of the Province of Ontario that the party of the second part may consider necessary to confirm this Agreement or proposed Deed, the party of the second part to bear the expense of such legislation, the parties of the first part making no claim for any expense against the party of the second part.

In witness whereof the parties hereto of the first part have hereunto set their hands and seals and the party of the second part its corporate seal under the hands of its proper officers.

SIGNED, SEALED AND DELIVERED,
in the presence of

A. B. HIGGINSON,
as to W. T. Hallam and L. E. Wedd.
FRED R. SMITH.

W. T. HALLAM, (SEAL.)
L. E. WEDD, (SEAL.)
C. A. P. POWIS, (SEAL.)

THE CORPORATION OF THE CITY OF HAMILTON,
(Sgd.) F. F. TRELEAVEN,
Mayor.
(Sgd.) S. H. KENT,
City Clerk.

(SEAL.)

SCHEDULE "C."

This Agreement made in duplicate this ninth day of November, 1927.

Between:

VERY REVEREND L. W. B. BROUGHALL, STUART S. DUMOULIN AND C. E. BULL,
all of the city of Hamilton in the county of Wentworth being the Rector and Church Wardens of Christ's Church Cathedral.

of the first part;

and

THE CORPORATION OF THE CITY OF HAMILTON,

of the second part.

Whereas by deed dated the 29th day of January, 1847, Sir Allan N. MacNab conveyed to Miles O'Reilly and Hugh C. Baker, the then Church Wardens of Christ's Church Cathedral, Hamilton, the lands and premises hereinafter firstly described together with other lands.

And whereas the said lands and premises were purchased for the purpose of converting the portion herein firstly described as a cemetery.

And whereas the late Peter Carroll by his last will and testament devised to the Rector of Christ's Church Cathedral and to his successors as such Rector, lots numbers 16, 17, 18 and 19 on York Street in the city of Hamilton with the appurtenances thereunto belonging. The one half of the yearly rents or proceeds to be a perquisite to such Rector and the other half to be distributed annually by him to the poor of his parish.

And whereas the Statute 53 Victoria Chapter 138, Ontario, authorized the Rector and his successors in office to lay out as a cemetery said lots numbers 16, 17, 18 and 19 and to sell and dispose of graves and cemetery lots. And directed that the proceeds of sales of graves and cemetery lots shall be paid to the Rector or his successors in office as the case may be to invest and keep invested the net proceeds of said sales and the income derived therefrom shall as to one half be a perquisite to said Rector and his successors in office and the other half shall be distributed annually to the poor of the parish.

And whereas by an agreement dated the 30th May, 1893, duly authorized by by-law No. 629 of the council of the corporation of the city of Hamilton, passed on the 13th June, 1892, and by-law No. 53 of the Revised By-laws 1910, the parties of the first part have been paying annually to the City Corporation the sum of Sixty Dollars ($60.00) towards payment of the salaries of the superintendent and assistants of the Hamilton Cemeteries, and rules and regulations respecting the said cemetery were agreed upon; and it is agreed that the said agreement should be terminated upon the delivery of the deeds of the lands hereinafter described.

And whereas the parties of the first part wish to enter into an agreement with the party of the second part to convey the said lands and premises to the party of the second part on condition that the parties of the first part and their successors in office be relieved of all liability in connection with said lands and premises and from the payment of the said annual sum of Sixty Dollars ($60.00).

This Agreement witnesseth that in pursuance of the premises and in consideration of the sum of One Dollar of lawful money of Canada now paid by the party of the second part to the parties of the first part, the receipt whereof is hereby by them acknowledged, the parties of the first part agree to convey to the party of the second part all and singular those certain parcels or tracts of land and premises, situate, lying and being in the city of Hamilton in the county of Wentworth and in the

Province of Ontario, being composed of parts of lot nineteen in the First and Second Concessions and of the road allowance between the First and Second Concessions and of the Township of Barton, and lots 16, 17, 18 and 19, on the south side of York Street in Sir Allan MacNab's Survey, which parcels are shown coloured "Yellow" on the attached plan and may be more particularly described as follows, that is to say:

Firstly, all of that parcel of land conveyed to the Wardens of Christ's Church by Sir Allan MacNab, in deed No. P. 669, dated January 29th, 1847, and registered January 30th, 1847, not heretofore granted, by Sir A. N. MacNab and the Wardens of Christ's Church Cathedral to the city of Hamilton in Deed No. B. 130 dated August 27th, 1848, and registered October 7th, 1848 and the Wardens of Christ's Church Cathedral to the Toronto, Hamilton and Buffalo Railway Company in Deed No. 63150, dated January 23rd, 1897, and registered March 8th, 1897, which residue may be more particularly described as follows, that is to say:

Commencing at a point in the southern limit of lands described in said instrument No. P. 669 distant three chains and fifty-five links (3 c. 55 l.) measured westerly along the said southern limit from the western limit of York Street, said southern limit being also the northern limit of Wm. Onyon's Survey known as Vauxhall Gardens. Thence on a course, north thirteen degrees and thirty minutes west (N. 13° 30′ W.) parallel to the western limit of York Street four chains (4 c.). Thence on a course north eighty-six degrees and thirty minutes west (N. 86° 30′ W.) parallel to the southern limit of lands described in P. 669 ten chains and ten links more or less (10 c. 10 l.) to the eastern limit of the right-of-way of the Toronto, Hamilton and Buffalo Railway Company. Thence southerly along the eastern limit of the said right-of-way two hundred and seventy-three feet (273′) more or less to the southern limit of lands described in P. 669. Thence on a course south eighty-six degrees and thirty minutes east (S. 86° 30′ E.) along the said southern limit eleven chains and sixty-one links (11 c. 61 l.) more or less to the place of beginning.

Secondly, being composed of the whole of lots 16, 17, 18 and 19 on the south side of York Street in Sir Allan MacNab's Survey by a deed under the Short Form of Conveyances Act and containing no covenants express or implied other than the covenant "and the said grantors release to the said grantee all their claims to the said lands" said deeds also to be subject to the deeds of graves which the grantors and their predecessors in title have heretofore given.

And it is hereby agreed by and between the parties hereto that upon the delivery of the conveyance of the said lands to the City Corporation;

(*a*) The agreement of the 30th May, 1893 above referred to shall be terminated and put an end to—

(*b*) That all receipts from said lands thereafter belong to the City Corporation, including receipts from the sale of lots and for "perpetual care fund," and that the parties of the first part shall make no claim therefor—and

(*c*) That the said cemetery lands shall after such delivery be under the absolute control of the City Corporation.

The Rector and Church Wardens of Christ's Church Cathedral shall at all times indemnify the City Corporation against any claims that may be made by the Rector of Christ's Church or others pursuant to the provisions of the Last Will and Testament of the late Peter Carroll above recited.

The parties of the first part agree to join in any application to the Legislature of the Province of Ontario that the party of the second part may consider necessary to confirm this agreement or proposed deed, the party of the second part to bear the expense of such legislation, the parties of the first part making no claim for any expense against the party of the second part.

In witness whereof the parties hereto of the first part have hereunto set their hands and seals and the party of the second part its corporate seal under the hands of its proper officers.

SIGNED, SEALED AND DELIVERED
in the presence of:

G. Y. BELLHOUSE,
HELENE B. WIGMORE.

L. W. B. BROUGHALL [SEAL.]
C. E. BULL [SEAL.]
STUART S. DUMOULIN [SEAL.]

THE CORPORATION OF THE CITY OF HAMILTON,

(Sgd.) F. F. TRELEAVEN,
Mayor.

(Sgd.) S. H. KENT,
City Clerk.

[SEAL.]

SCHEDULE "D."

This Agreement made this 27th day of December, 1927.

Between:

THE CORPORATION OF THE CITY OF HAMILTON,
hereinafter called the City

of the first part;

and

THE T. EATON COMPANY LIMITED,
hereinafter called the Eaton Company,

of the second part;

WITNESSETH as follows:

1. The City agrees to sell to the Eaton Company and the Eaton Company agrees to purchase from the City all and singular the lands and premises described in Schedule "A" hereto annexed and edged in red on the plan also hereto annexed and hereinafter called the 20-foot strip.

2. The City also agrees to grant.

(*a*) A right-of-way on foot or with vehicles in common with others entitled thereto, for the Eaton Company, its successors and assigns, and all parties having any business with it or them over a portion of the Central Market property, being the lands and premises described in Schedule "B" hereto annexed and edged in green, on the plan also hereto annexed, and herinafter called the fifteen-foot strip and the further right from time to time for the Eaton Company its successors and assigns, and all parties having any business with it or them, of standing vehicles which are being used at the time for commercial purposes on the fifteen-foot strip but only for the purpose of enabling them to be loaded or unloaded.

(*b*) The right to have entrances from the said fifteen-foot strip to any building at any time erected on the said twenty-foot strip, and/or on the lands lying to the east of the twenty-foot strip, and more particularly described in Schedule "C" hereto annexed and edged in yellow on the plan also hereto annexed.

(*c*) The right to place and maintain windows and other openings in the west wall or walls of any building at any time erected or being erected on the twenty-foot strip, and the right to light and air over the fifteen-foot strip, but the City shall not be prevented from erecting buildings or structures to any height immediately westerly of the fifteen-foot strip.

(*d*) The right to place and maintain cornices, window sills, and water conductors above the first or ground floor on the west wall or walls of any building referred to in Clause (*c*) of this paragraph, provided such cornices, window-sills and water conductor pipes do not project or extend more than twenty-four inches over the fifteen-foot strip.

(*e*) The right to place from time to time building plant and materials temporarily on the fifteen-foot strip for the purpose of facilitating the erection or repair of any building referred to in Clause (*c*) of this paragraph, and/or any building on the lands, described in Schedule "C" hereto annexed, but such right shall be exercised under the direction of and subject to the approval of the Engineer and Building Inspector of the City.

(*f*) The right to construct and maintain a sewer on and under the fifteen-foot strip from the southerly end thereof to Merrick Street and to connect the same with the City sewer.

(*g*) The right to construct and maintain on and under the easterly portion of the fifteen-foot strip concrete footings for the purpose of supporting steel columns of any building at any time erected or being erected

on the twenty-foot strip all work in connection therewith to be subject to the approval and performed to the satisfaction of the Engineer and Building Inspector of the City.

3. In the event of the City at any time hereafter desiring to close to vehicular traffic those portions of the said Central Market property which lie to the south, southeast, and southwest of the fifteen-foot strip and which are now available for such traffic, the City shall before so closing the same, grant an additional right-of-way on foot, or with vehicles in common with others entitled thereto, for the Eaton Company, its successors and assigns, and all parties having any business with it or them over a strip of land at least twelve feet in width, leading from the souterly limit of the fifteen-foot strip to York, Merrick, McNab or James Streets, or, in the alternative, and in lieu thereof at the City's option, the right, in common with others entitled thereto for the Eaton Company, its successors and assigns and all parties having any business with it or them, to use a turning ground for the purpose of turning vehicles at or near the southerly limit of the fifteen-foot strip, such turning ground including a portion of the fifteen-foot strip, and a portion of the lands situate to the west thereof, to be forty feet in length (from north to south), and thirty feet in width.

4. Subject to the rights to be granted by the City as herinbefore provided, such portions of the Central Market grounds as are not included in the twenty-foot strip, shall remain under the full jurisdiction of the City, and shall at all times be subject to regulations which may from time to time be passed by the Council of the City, and except for the purpose of loading or unloading as provided in Clause (*a*) of paragraph number two hereof, no portion of the Central Market grounds over which such rights are to be granted, may be used by the Eaton Company or by others as a parking place for motor or other vehicles.

5. The Eaton Company shall pay to the City the sum of $100,000 upon delivery of possession and conveyances of the twenty-foot strip and the rights herein provided for.

6. The City shall furnish a copy of the Registrar's Short Abstract of Title and produce for inspection all deeds, copies of deeds, or any other evidence of title in its possession, and furnish copies of such deeds and evidences of title to the Eaton Company.

7. The Eaton Company shall upon the execution of this Agreement be deemed to have accepted the title of the City to the twenty-foot and fifteen-foot strips, but subject always to the provision respecting legislation herein contained.

8. The sale shall be completed and the conveyances and possession given within three months after the assent is given to an Act of the Ontario Legislature validating this Agreement.

9. The Eaton Company shall not re-let the Market stalls now on the twenty-foot strip, but shall demolish them within six months after the date on which it shall be given possession of the said strip.

10. The Eaton Company shall pay taxes on the twenty-foot strip from the date of the completion of the sale.

11. The Eaton Company hereby agrees to surrender to the City on the date of the completion of the sale all right to ancient lights, if any, in respect of any window or windows in the southerly wall of the present building on the lands now occupied by the Eaton Company north of the lands of the City, together with any existing easement of any nature whatsoever affecting the lands of the City lying southerly of the Eaton Company Building. Nothing in this agreement contained shall be so construed as to prevent the City from having full and complete use and enjoyment of its lands which are not affected by this agreement.

12. A certain agreement, dated the 11th day of September, 1923, and registered as No. 256423 made between the City, the Arcade, Limited, and the Estate of Jane A. Bisby, shall be deemed to be cancelled as from the date of completion of sale.

13. The rights to be granted as hereinbefore provided by paragraphs 2, 3, and 4 hereof, shall be granted in perpetuity to the Eaton Company its successors and assigns, to the intent that such rights shall be appurtenances of the twenty-foot strip and/or the lands described in Schedule "C" hereto annexed.

14. In case the City shall fail to obtain legislation validating this agreement at the next ensuing session of the Ontario Legislature, this agreement shall be null and void, and neither parties shall have any rights against the other, except rights arising out of the agreement, dated the 11th day of September, 1923, hereinbefore referred to.

In witness whereof the parties hereto have executed these presents.

SIGNED, SEALED AND DELIVERED
in the presence of:

THE CORPORATION OF THE CITY OF HAMILTON,

(Sgd.) F. F. TRELEAVEN,
Mayor.
(Sgd.) S. H. KENT,
City Clerk.

[SEAL.]

as to the
T. EATON CO.

J. ELLIOTT,
Toronto.

T. EATON CO., LIMITED,
(Company seal)
H. MCGEE,
Vice-President.

J. J. VAUGHAN,
Secretary-Treasurer.

DESCRIPTION OF LANDS REFERRED TO AS SCHEDULE "A".

All and singular that certain parcel or tract of land and premises, situate, lying and being in the city of Hamilton, in the county of Wentworth, in the Province of Ontario, being composed of part of lot number four (4) in David Kirkendall's Survey, and part of what was formerly known as Andrew Miller's seven acre tract in the block bounded by James, Merrick, MacNab and York Streets, in the aforesaid city of Hamilton, and which said parcel may be more particularly described as follows, that is to say:

Commencing at a point in the southern limit of Merrick Street where it is intersected by the production northerly of the western face of the western wall of the store building occupied by the T. Eaton Co., said point of intersection being distant one hundred and thirty feet and five and one-quarter inches (130′ 5¼″) more or less measured westerly along the said southern limit of Merrick Street from the westerly limit of James Street.

Thence north seventy degrees and six minutes west (N. 70° 06′ W.) along the said southern limit of Merrick Street a distance of twenty feet (20′ 0″) to a point.

Thence south seventeen degrees and fifty-three minutes west (S. 17° 53′ W.) a distance of two hundred and nineteen feet and six inches (219′ 6″) to a point distant twenty feet (20′ 0″) measured on a course of north seventy degrees and six minutes west (N. 70° 06′ W.) from the southwest corner of the said store building now occcpied by The T. Eaton Co., Ltd.

Thence south seventy degrees and six minutes east (S. 70° 06′ E.) a distance of twenty feet (20′ 0″) to the southwest corner of the said store building now occupied by the T. Eaton Co., Ltd.

Thence northerly along the said western face of the western wall of the store building now occupied by The T. Eaton Co., Ltd., and the production thereof northerly a distance of two hundred and nineteen feet and six inches (219′ 6″) more or less to the place of beginning.

The above described parcel of land being further shown edged in red on the attached plan.

DESCRIPTION OF LAND REFERRED TO AS SCHEDULE "B".

All and singular that certain parcel or tract of land and premises, situate lying and being in the city of Hamilton, in the county of Wentworth, in the Province of Ontario, being composed of part of lot number four (4) in David Kirkendall's Survey, and part of what was formerly known as Andrew Miller's seven-acre tract in the block bounded by James, Merrick, MacNab and York Streets, in the aforesaid city of Hamilton, and which said parcel may be more particularly described as follows, that is to say:

Commencing at a point in the southern limit of Merrick Street which is distant twenty feet (20′ 0″) measured westerly thereon from the intersection of the production northerly of the western face of the western wall of the store building now occupied by The T. Eaton Co., with the said southern limit of Merrick Street, the last mentioned intersection being distant one hundred and thirty feet and five and one-quarter inches (130′ 5¼″) more or less, measured westerly along the said southern limit of Merrick Street from the western limit of James Street.

Thence south seventeen degrees and fifty-three minutes west (S. 17° 53′ W.) a distance of two hundred and nineteen feet and six inches (219′ 6″) to a point distant twenty feet (20′ 0″) measured on a course of north seventy degrees and six minutes west (N. 70° 06′ W.) from the southwest corner of the said store building now occupied by The T. Eaton Co., Ltd.

Thence north seventy degrees and six minutes west (N. 70° 06′ W.) a distance of fifteen feet (15′ 0″) to a point.

Thence north seventeen degrees and fifty-three minutes east (N. 17° 53′ E.) a distance of two hundred and nineteen feet and six inches (219′ 6″) more or less to a point in the said southern limit of Merrick Street.

Thence south seventy degrees and six minutes east (S. 70° 06′ E.) along the said southern limit of Merrick Street a distance of fifteen feet (15′ 0″) to the place of beginning.

The above described parcel of land being further shown edged in green on the attached plan.

DESCRIPTION OF LANDS REFERRED TO AS SCHEDULE "C".

All and singular that certain parcel or tract of land and premises situate, lying and being in the city of Hamilton in the County of Wentworth, in the Province of Ontario being composed of Lots Number One and Two on the westerly side of James Street and part of Lot Number Four on the southerly side of Merrick Street in the block bounded by James, Merrick, MacNab and York Streets, in David Kirkendall's survey registered in the Registry Office for the County of Wentworth as plan No. 39, and part of Andrew Miller's Seven acre tract as shown on plan filed in the Registry Office for the County of Wentworth in Miscellaneous Drawer Number Two and which may be more particularly described as follows, that is to say:

Commencing at the intersection of the westerly limit of James Street with the southerly limit of Merrick Street. Thence north seventy degrees and six minutes west (N. 70° 06′ W.) along the southerly limit of Merrick Street one hundred and thirty feet and five and one-quarter inches (130′ 5¼″) more or less to an intersection with the production northerly of the westerly face of the westerly wall of the building erected on the lands herein described and now occupied by the T. Eaton Co., Limited. Thence southerly to and along the said westerly face of the westerly wall of the aforesaid building two hundred and nineteen feet and six inches (219′ 6″) more or less to the south westerly angle of the said building. Thence easterly along the southerly face of the southerly wall of the said building, one hundred and thirty feet and two inches (130′ 2″) more or less to the westerly limit of James Street, thence north eighteen degrees east (N. 18°E.) along the westerly limit of James Street two hundred and fourteen feet and eleven and one-quarter inches (214′ 11¼″) more or less to the place of beginning. (Note the bearings in this description are referenced to the westerly limit of James Street assumed to be north eighteen degrees east (N. 18°E.)

The above described parcel of land being further shown edged in yellow on the attached plan.

No. 6.

2nd Session. 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting the City of Hamilton.

1st Reading,	1928.
2nd Reading,	1928.
3rd Reading,	1928.

(*Private Bill*)

MR. JUTTEN.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 6. 1928.

BILL

An Act respecting the City of Hamilton.

Preamble.

WHEREAS the corporation of the city of Hamilton has by petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Hamilton Act, 1928.*

Power to issue debentures for certain purposes.

2. The council of the corporation of the city of Hamilton, may without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for borrowing the sum of $183,500, by the issue and sale of debentures payable at any time within thirty years, for the following purposes, namely,—

(*a*) The acquiring of certain lands, being part of lot No. 28 in the 2nd Concession of the township of Saltfleet in the county of Wentworth, for the establishment of an extension to the Hamilton cemeteries, the sum of.....	$58,500
(*b*) The erection of extensions and additions to the "Home for Aged and Infirm" (House of Refuge) to provide additional accommodation, the sum of.....	125,000
	$183,500

Power to The Railway and Municipal Board to amend certain orders.

3.—(1) Notwithstanding anything contained in any Act or order of The Railway and Municipal Board, or in any by-law of the council of the corporation of the city of Hamilton, the said board, in order to grant relief to the lands affected may, at any time or times, with the consent of the council of the corporation of the city of Hamilton, amend in any respect by a further order or orders, the terms of the annexation orders issued by the said board, dated the 26th day of January, 1914, the 18th day of March, 1920 and the 11th day of March, 1924, annexing to the said city certain

lands formerly in the township of Barton, in the county of Wentworth, and also the terms of any amendments to said orders made by the said board ☞ and with the approval of the Lieutenant-Governor in Council the terms of any amendments to said orders made by any special Act relating to the city of Hamilton. ☜

Application for amendment.

(2) Any application to the board to amend any of the said orders, may be made by the council or by at least twenty of the resident owners in any of the areas affected.

Agreement with Hamilton Harbour Commissioners ratified.

4. The agreement made between the corporation of the city of Hamilton and the Hamilton Harbour Commissioners, dated the 2nd day of November, 1927, as set forth in schedule "A" to this Act, is hereby ratified and confirmed and declared to be legal, valid and binding upon the parties thereto, and the said parties are hereby empowered to carry out their respective obligations and exercise their respective privileges thereunder.

Certain agreements ratified.

5. The agreement made between Reverend William T. Hallam, L. E. Wedd and C. A. Powis, being the Rector and Church Wardens of the Church of the Ascension in the city of Hamilton, and the corporation of the city of Hamilton, dated the 9th day of November, 1927, as set forth in schedule "B" to this Act, and the agreement made between Very Reverend L. W. B. Broughall, Stuart S. Dumoulin and C. E. Bull, being the Rector and Church Wardens of Christ's Church Cathedral in the said city, and the corporation of the city of Hamilton, dated the 9th day of November, 1927, as set forth in schedule "C" to this Act, are hereby ratified and confirmed and declared to be legal, valid and binding upon the parties thereto, and the said parties are hereby empowered to carry out their respective obligations and exercise their respective privileges thereunder, and the lands described in said agreements, shall upon delivery of the conveyances to the city corporation mentioned in said agreements vest in the corporation of the city of Hamilton, for the purpose of extending the Hamilton cemeteries, subject to the provisions of *The Cemetery Act* and regulations made thereunder, freed from all liens and charges whatsoever.

Rev. Stat., c. 317.

Agreement with T. Eaton Company Limited, ratified.

6. The agreement made between the corporation of the city of Hamilton and T. Eaton Company, Limited, dated the 27th day of December, 1927, as set forth in schedule "D" to this Act, is hereby ratified and confirmed and declared to be legal, valid and binding upon the parties thereto, and the said parties are hereby empowered to carry out their respective obligations and exercise their respective privileges thereunder.

Commencement of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

This Agreement made the second day of November, 1927.

Between:

THE HAMILTON HARBOUR COMMISSIONERS,
Hereinafter called the "Commissioners,"

of the first part;

and

THE CORPORATION OF THE CITY OF HAMILTON,
Hereinafter called the "City,"

of the second part.

Whereas by an Act of the Parliament of Canada, being Statutes of Canada, 2 Geo. V. (1912), Chapter 98, incorporating the Hamilton Harbour Commissioners the "Commissioners" were, for the purposes of and as provided in the said Act more particularly by Section 20 thereof given jurisdiction within the limits of the Harbour of Hamilton and empowered to make by-laws for the imposition and collection of rates, tolls and penalties and to commute any rates authorized by the Act to be levied, on such terms and conditions and for such sums of money as the "Commissioners" deem expedient.

And whereas the "Commissioners" have duly passed by-laws numbers 29 and 30 for imposing and collecting certain rates, which said by-laws were duly confirmed as required by the said Act and the "City" has requested and it has been agreed by and between the parties hereto that in commutation of the imposition and collection of said rates by the "Commissioners" the "City" shall for a period of ten years, commencing the 1st January, 1928, make an annual payment to the "Commissioners," such annual payment to be $10,000 for the years 1928, 1929, 1930, 1931 and 1932 and $12,000 for the years 1933, 1934, 1935, 1936, and 1937, at the times and upon the terms and subject to the conditions hereinafter reserved and contained.

Now this agreement witnesseth as follows:

1. The "Commissioners" hereby covenant and agree to and with the 'City" that annually for the years 1928 to 1937 inclusive the rates authorized to be imposed, levied and collected pursuant to the provisions of said By-law Number 29, confirmed by an Order-in-Council on the 8th day of October, A.D. 1913, or any other by-law of the "Commissioners" now or hereafter passed shall be commuted upon payment of the said sum as hereinafter provided. Provided however that this Agreement or any provision or condition herein contained shall not in any way restrict, prohibit or affect the imposition or collection of any charges, rates, tolls or rentals now or hereafter imposed by the "Commissioners" for wharfage, storage, warehousing or service charges for the use or occupation of any of the lands of the "Commissioners" or within their administration, or of the premises and appurtenances thereto or any interest therein or any buildings or erections thereon.

2. The "City" hereby covenants and agrees with the "Commissioners" that the "City" will make an annual payment to the "Commissioners," as follows:

For the years 1928 to 1932 inclusive, an annual payment of $10,000.

For the years 1933 to 1937 inclusive, an annual payment of $12,000.

Such annual payments shall be made on or before the first day of March in each and every year during the continuance of this Agreement,

Provided such payments are duly made on the said dates the "Commissioners" shall for the then current year commute (save as agreed by the preceding proviso) the rates authorized by said by-law 29 or any other by-law hereafter passed for their imposition and collection, and time is of the essence of this Agreement.

3. This Agreement shall have no force and effect (*a*) until confirmed as required by and pursuant to section 20 of the said Act, and (*b*) until the "City" is duly authorized to enter into such agreement by an Act of the Legislature of the Province of Ontario.

In witness whereof the parties hereto have hereunto set their hands and seals under the hands of their proper officers.

SIGNED, SEALED AND DELIVERED

in the presence of

THE HAMILTON HARBOUR COMMISSIONERS.

(Sgd.) WM. AINSLIE,
Chairman.

(Sgd.) THOS. COOK,
Secretary.

Seal.

THE CORPORATION OF THE CITY OF HAMILTON.

(Sgd.) F. F. TRELEAVEN,
Mayor.

(Sgd.) S. H. KENT,
City Clerk.

Seal.

SCHEDULE "B."

This agreement made in duplicate this ninth day of November, 1927.

between:

REVEREND WILLIAM T. HALLAM, L. E. WEDD, and C. A. P. POWIS,
all of the city of Hamilton in the county of Wentworth, being the Rector and Church Wardens of the Church of the Ascension in said city of Hamilton,

of the first part;

and

THE CORPORATION OF THE CITY OF HAMILTON,

of the second part.

Whereas by Deed dated the twenty-first day of July, 1876, Curtis Strong Chittenden of the said city of Hamilton, Dentist, and Caroline Young Chittenden, his wife, conveyed to the Rector and Church Wardens of the Church of the Ascension the lands and premises hereinafter secondly described.

And whereas by Deed bearing date the twenty-ninth day of April, 1893, Charles Lemon of the said city of Hamilton, Gentleman, conveyed the lands and premises firstly described to the Incumbent and Church Wardens of the said Church of the Ascension.

And whereas the lands and premises herein described were purchased for the purpose of converting the same as a Cemetery.

And whereas all the land hereinafter described suitable for cemetery purposes has been sold and the parties of the first part have been paying the Board of Managers of Hamilton Cemetery Sixty Dollars ($60.00) a year for superintending the said lands and premises, under an agreement between the parties hereto dated the first day of April, 1892, and confirmed by By-law No. "53" of the party of the second part, passed on the thirteenth day of June, 1892.

And whereas by an Agreement dated the thirtieth day of May, 1893, duly authorized by By-law No. 629 of the council of the corporation of the city of Hamilton passed on the thirteenth day of June, 1892 and By-law No. 53 of the Revised By-laws, 1910, the parties of the first part have been paying annually to the city corporation the sum of Sixty Dollars ($60.00) towards payment of the salaries of the superintendent and assistants of the Hamilton Cemeteries, and rules and regulations respecting the said Cemetery were agreed upon; and it is agreed that the said Agreements should be terminated upon the delivery of the Deeds of the lands hereinafter described.

This Agreement witnesseth that in pursuance of the premises and in consideration of the sum of One Dollar of lawful money of Canada now paid by the party of the second part to the parties of the first part, the receipt whereof is hereby by them acknowledged, the parties of the first part agree to convey to the party of the second part all and singular those certain parcels or tracts of land and premises, situate, lying and being in the city of Hamilton in the county of Wentworth and in the Province of Ontario, being composed of part of the land laid out by William Onyon, known as Vauxhall Gardens and registered in the Registry Office for the county of Wentworth as Plan No. 75, which parcels are shown coloured "red" on the attached plan and may be more particularly described as follows, that is to say:

Firstly, the whole of lot fifty-two (52) as shown on the said Registered Plan No. 75.

Secondly, the whole of that parcel shown on said Plan No. 75 marked "Cemetery," which parcel may be more particularly described as follows, that is to say:

Premising that the bearing of York Street as shown on the said Plan No. 75 to be south eleven degrees and forty-five minutes east (S. 11° 45′ E.) then commencing at the northeast angle of Lot Seventeen (17) as shown on said Plan No. 75; thence on a course north eighty-six degrees

and fifteen minutes west (N. 86° 15'W.) four hundred and fifty feet (450'), thence on a course south four degrees and ten minutes west (S. 4° 10' W.) one hundred and twenty feet (120'), thence on a course south thirty degrees west (S. 30° W.) sixty feet (60') more or less to the northeast angle of Lot Fifty (50) as shown on said Plan No. 75, thence following the northern limit of Lots Fifty, Fifty-one and Fifty-two (50, 51 and 52) on a course north sixty-one degrees and ten minutes west (N. 61° 10' W.) one hundred and thirty-three feet, thence on a course north eighty-six degrees and fifteen minutes west (N. 86° 15' W.) along the northern limit of Lot Fifty-two (52) seventeen feet (17'), thence following along the western limit of Lot Fifty-two (52), one hundred and fifteen feet (115') to the northern limit of Jones Street thence on a course north sixty-one degrees and ten minutes west (N. 61° 10' W.) along the northern limit of Jones Street, one hundred and sixty-four feet six inches 164' 6") to the southeast angle of that portion marked "Reserve" on the said plan, thence along the easterly limit of said "Reserve" on a course north two degrees east (N. 2° E.) three hundred and thirty-seven feet (337') to the northern limit of said "Vauxhall Gardens Survey," thence along the northern limit of said Survey on a course south eighty-six degrees and fifteen minutes east (S. 86° 15' E.) seven hundred and sixty-five feet (765') to the western limit of York Street, thence on a course south eleven degrees and forty-five minutes east (S. 11° 45' E.) along the western limit of York Street, one hundred and eighty-five feet (185') more or less to the place of beginning, by a Deed under the Short Forms of Conveyances Act and containing no covenants express or implied other than the covenant "and the said Grantors release to the said Grantee all their claims to the said Lands," said Deed also to be subject to the Deeds of Graves which the Grantors and their predecessors in title have heretofore given.

And it is hereby agreed by and between the parties hereto that upon the delivery of the conveyance of the said lands to the City Corporation;

(*a*) The Agreements of the 30th April, 1892 and the 30th day of May, 1893 above referred to shall be terminated and put an end to and the parties of the first part shall thereupon be relieved of all further obligations to the party of the second part in respect of the said lands.

(*b*) That all receipts from said lands shall thereafter belong to the City Corporation, including receipts from the sale of lots and for "perpetual care fund," and that the parties of the first part shall make no claim therefor—and

(*c*) That the said Cemetery lands shall after such delivery be under the absolute control of the City Corporation.

The parties of the first part agree to join in any application to the Legislature of the Province of Ontario that the party of the second part may consider necessary to confirm this Agreement or proposed Deed, the party of the second part to bear the expense of such legislation, the parties of the first part making no claim for any expense against the party of the second part.

In witness whereof the parties hereto of the first part have hereunto set their hands and seals and the party of the second part its corporate seal under the hands of its proper officers.

SIGNED, SEALED AND DELIVERED,
in the presence of

A. B. HIGGINSON,
as to W. T. Hallam and L. E. Wedd.
FRED R. SMITH.

W. T. HALLAM, (SEAL.)
L. E. WEDD, (SEAL.)
C. A. P. POWIS, (SEAL.)

THE CORPORATION OF THE CITY OF HAMILTON,
(Sgd.) F. F. TRELEAVEN,
Mayor.
(Sgd.) S. H. KENT,
City Clerk.

(SEAL.)

SCHEDULE "C."

This Agreement made in duplicate this ninth day of November, 1927.

Between:

VERY REVEREND L. W. B. BROUGHALL, STUART S. DUMOULIN AND C. E. BULL,
all of the city of Hamilton in the county of Wentworth being the Rector and Church Wardens of Christ's Church Cathedral.

of the first part;

and

THE CORPORATION OF THE CITY OF HAMILTON,

of the second part.

Whereas by deed dated the 29th day of January, 1847, Sir Allan N. MacNab conveyed to Miles O'Reilly and Hugh C. Baker, the then Church Wardens of Christ's Church Cathedral, Hamilton, the lands and premises hereinafter firstly described together with other lands.

And whereas the said lands and premises were purchased for the purpose of converting the portion herein firstly described as a cemetery.

And whereas the late Peter Carroll by his last will and testament devised to the Rector of Christ's Church Cathedral and to his successors as such Rector, lots numbers 16, 17, 18 and 19 on York Street in the city of Hamilton with the appurtenances thereunto belonging. The one half of the yearly rents or proceeds to be a perquisite to such Rector and the other half to be distributed annually by him to the poor of his parish.

And whereas the Statute 53 Victoria Chapter 138, Ontario, authorized the Rector and his successors in office to lay out as a cemetery said lots numbers 16, 17, 18 and 19 and to sell and dispose of graves and cemetery lots. And directed that the proceeds of sales of graves and cemetery lots shall be paid to the Rector or his successors in office as the case may be to invest and keep invested the net proceeds of said sales and the income derived therefrom shall as to one half be a perquisite to said Rector and his successors in office and the other half shall be distributed annually to the poor of the parish.

And whereas by an agreement dated the 30th May, 1893, duly authorized by by-law No. 629 of the council of the corporation of the city of Hamilton, passed on the 13th June, 1892, and by-law No. 53 of the Revised By-laws 1910, the parties of the first part have been paying annually to the City Corporation the sum of Sixty Dollars ($60.00) towards payment of the salaries of the superintendent and assistants of the Hamilton Cemeteries, and rules and regulations respecting the said cemetery were agreed upon; and it is agreed that the said agreement should be terminated upon the delivery of the deeds of the lands hereinafter described.

And whereas the parties of the first part wish to enter into an agreement with the party of the second part to convey the said lands and premises to the party of the second part on condition that the parties of the first part and their successors in office be relieved of all liability in connection with said lands and premises and from the payment of the said annual sum of Sixty Dollars ($60.00).

This Agreement witnesseth that in pursuance of the premises and in consideration of the sum of One Dollar of lawful money of Canada now paid by the party of the second part to the parties of the first part, the receipt whereof is hereby by them acknowledged, the parties of the first part agree to convey to the party of the second part all and singular those certain parcels or tracts of land and premises, situate, lying and being in the city of Hamilton in the county of Wentworth and in the

Province of Ontario, being composed of parts of lot nineteen in the First and Second Concessions and of the road allowance between the First and Second Concessions and of the Township of Barton, and lots 16, 17, 18 and 19, on the south side of York Street in Sir Allan MacNab's Survey, which parcels are shown coloured "Yellow" on the attached plan and may be more particularly described as follows, that is to say:

Firstly, all of that parcel of land conveyed to the Wardens of Christ's Church by Sir Allan MacNab, in deed No. P. 669, dated January 29th, 1847, and registered January 30th, 1847, not heretofore granted, by Sir A. N. MacNab and the Wardens of Christ's Church Cathedral to the city of Hamilton in Deed No. B. 130 dated August 27th, 1848, and registered October 7th, 1848 and the Wardens of Christ's Church Cathedral to the Toronto, Hamilton and Buffalo Railway Company in Deed No. 63150, dated January 23rd, 1897, and registered March 8th, 1897, which residue may be more particularly described as follows, that is to say:

Commencing at a point in the southern limit of lands described in said instrument No. P. 669 distant three chains and fifty-five links (3 c. 55 l.) measured westerly along the said southern limit from the western limit of York Street, said southern limit being also the northern limit of Wm. Onyon's Survey known as Vauxhall Gardens. Thence on a course, north thirteen degrees and thirty minutes west (N. 13° 30′ W.) parallel to the western limit of York Street four chains (4 c.). Thence on a course north eighty-six degrees and thirty minutes west (N. 86° 30′ W.) parallel to the southern limit of lands described in P. 669 ten chains and ten links more or less (10 c. 10 l.) to the eastern limit of the right-of-way of the Toronto, Hamilton and Buffalo Railway Company. Thence southerly along the eastern limit of the said right-of-way two hundred and seventy-three feet (273′) more or less to the southern limit of lands described in P. 669. Thence on a course south eighty-six degrees and thirty minutes east (S. 86° 30′ E.) along the said southern limit eleven chains and sixty-one links (11 c. 61 l.) more or less to the place of beginning.

Secondly, being composed of the whole of lots 16, 17, 18 and 19 on the south side of York Street in Sir Allan MacNab's Survey by a deed under the Short Form of Conveyances Act and containing no covenants express or implied other than the covenant "and the said grantors release to the said grantee all their claims to the said lands" said deeds also to be subject to the deeds of graves which the grantors and their predecessors in title have heretofore given.

And it is hereby agreed by and between the parties hereto that upon the delivery of the conveyance of the said lands to the City Corporation;

(*a*) The agreement of the 30th May, 1893 above referred to shall be terminated and put an end to—

(*b*) That all receipts from said lands thereafter belong to the City Corporation, including receipts from the sale of lots and for "perpetual care fund," and that the parties of the first part shall make no claim therefor—and

(*c*) That the said cemetery lands shall after such delivery be under the absolute control of the City Corporation.

The Rector and Church Wardens of Christ's Church Cathedral shall at all times indemnify the City Corporation against any claims that may be made by the Rector of Christ's Church or others pursuant to the provisions of the Last Will and Testament of the late Peter Carroll above recited.

The parties of the first part agree to join in any application to the Legislature of the Province of Ontario that the party of the second part may consider necessary to confirm this agreement or proposed deed, the party of the second part to bear the expense of such legislation, the parties of the first part making no claim for any expense against the party of the second part.

In witness whereof the parties hereto of the first part have hereunto set their hands and seals and the party of the second part its corporate seal under the hands of its proper officers.

SIGNED, SEALED AND DELIVERED
in the presence of:

G. Y. BELLHOUSE,
HELENE B. WIGMORE.

L. W. B. BROUGHALL [SEAL.]
C. E. BULL [SEAL.]
STUART S. DUMOULIN [SEAL.]

THE CORPORATION OF THE CITY OF HAMILTON,

(Sgd.) F. F. TRELEAVEN,
Mayor.

(Sgd.) S. H. KENT,
City Clerk.

[SEAL.]

SCHEDULE "D."

This Agreement made this 27th day of December, 1927.

Between:

THE CORPORATION OF THE CITY OF HAMILTON,
hereinafter called the City

of the first part;

and

THE T. EATON COMPANY LIMITED,
hereinafter called the Eaton Company,

of the second part;

WITNESSETH as follows:

1. The City agrees to sell to the Eaton Company and the Eaton Company agrees to purchase from the City all and singular the lands and premises described in Schedule "A" hereto annexed and edged in red on the plan also hereto annexed and hereinafter called the 20-foot strip.

2. The City also agrees to grant.

(*a*) A right-of-way on foot or with vehicles in common with others entitled thereto, for the Eaton Company, its successors and assigns, and all parties having any business with it or them over a portion of the Central Market property, being the lands and premises described in Schedule "B" hereto annexed and edged in green, on the plan also hereto annexed, and herinafter called the fifteen-foot strip and the further right from time to time for the Eaton Company its successors and assigns, and all parties having any business with it or them, of standing vehicles which are being used at the time for commercial purposes on the fifteen-foot strip but only for the purpose of enabling them to be loaded or unloaded.

(*b*) The right to have entrances from the said fifteen-foot strip to any building at any time erected on the said twenty-foot strip, and/or on the lands lying to the east of the twenty-foot strip, and more particularly described in Schedule "C" hereto annexed and edged in yellow on the plan also hereto annexed.

(*c*) The right to place and maintain windows and other openings in the west wall or walls of any building at any time erected or being erected on the twenty-foot strip, and the right to light and air over the fifteen-foot strip, but the City shall not be prevented from erecting buildings or structures to any height immediately westerly of the fifteen-foot strip.

(*d*) The right to place and maintain cornices, window sills, and water conductors above the first or ground floor on the west wall or walls of any building referred to in Clause (*c*) of this paragraph, provided such cornices, window-sills and water conductor pipes do not project or extend more than twenty-four inches over the fifteen-foot strip.

(*e*) The right to place from time to time building plant and materials temporarily on the fifteen-foot strip for the purpose of facilitating the erection or repair of any building referred to in Clause (*c*) of this paragraph, and/or any building on the lands, described in Schedule "C" hereto annexed, but such right shall be exercised under the direction of and subject to the approval of the Engineer and Building Inspector of the City.

(*f*) The right to construct and maintain a sewer on and under the fifteen-foot strip from the southerly end thereof to Merrick Street and to connect the same with the City sewer.

(*g*) The right to construct and maintain on and under the easterly portion of the fifteen-foot strip concrete footings for the purpose of supporting steel columns of any building at any time erected or being erected

on the twenty-foot strip all work in connection therewith to be subject to the approval and performed to the satisfaction of the Engineer and Building Inspector of the City.

3. In the event of the City at any time hereafter desiring to close to vehicular traffic those portions of the said Central Market property which lie to the south, southeast, and southwest of the fifteen-foot strip and which are now available for such traffic, the City shall before so closing the same, grant an additional right-of-way on foot, or with vehicles in common with others entitled thereto, for the Eaton Company, its successors and assigns, and all parties having any business with it or them over a strip of land at least twelve feet in width, leading from the souterly limit of the fifteen-foot strip to York, Merrick, McNab or James Streets, or, in the alternative, and in lieu thereof at the City's option, the right, in common with others entitled thereto for the Eaton Company, its successors and assigns and all parties having any business with it or them, to use a turning ground for the purpose of turning vehicles at or near the southerly limit of the fifteen-foot strip, such turning ground including a portion of the fifteen-foot strip, and a portion of the lands situate to the west thereof, to be forty feet in length (from north to south), and thirty feet in width.

4. Subject to the rights to be granted by the City as herinbefore provided, such portions of the Central Market grounds as are not included in the twenty-foot strip, shall remain under the full jurisdiction of the City, and shall at all times be subject to regulations which may from time to time be passed by the Council of the City, and except for the purpose of loading or unloading as provided in Clause (*a*) of paragraph number two hereof, no portion of the Central Market grounds over which such rights are to be granted, may be used by the Eaton Company or by others as a parking place for motor or other vehicles.

5. The Eaton Company shall pay to the City the sum of $100,000 upon delivery of possession and conveyances of the twenty-foot strip and the rights herein provided for.

6. The City shall furnish a copy of the Registrar's Short Abstract of Title and produce for inspection all deeds, copies of deeds, or any other evidence of title in its possession, and furnish copies of such deeds and evidences of title to the Eaton Company.

7. The Eaton Company shall upon the execution of this Agreement be deemed to have accepted the title of the City to the twenty-foot and fifteen-foot strips, but subject always to the provision respecting legislation herein contained.

8. The sale shall be completed and the conveyances and possession given within three months after the assent is given to an Act of the Ontario Legislature validating this Agreement.

9. The Eaton Company shall not re-let the Market stalls now on the twenty-foot strip, but shall demolish them within six months after the date on which it shall be given possession of the said strip.

10. The Eaton Company shall pay taxes on the twenty-foot strip from the date of the completion of the sale.

11. The Eaton Company hereby agrees to surrender to the City on the date of the completion of the sale all right to ancient lights, if any, in respect of any window or windows in the southerly wall of the present building on the lands now occupied by the Eaton Company north of the lands of the City, together with any existing easement of any nature whatsoever affecting the lands of the City lying southerly of the Eaton Company Building. Nothing in this agreement contained shall be so construed as to prevent the City from having full and complete use and enjoyment of its lands which are not affected by this agreement.

12. A certain agreement, dated the 11th day of September, 1923, and registered as No. 256423 made between the City, the Arcade, Limited, and the Estate of Jane A. Bisby, shall be deemed to be cancelled as from the date of completion of sale.

13. The rights to be granted as hereinbefore provided by paragraphs 2, 3, and 4 hereof, shall be granted in perpetuity to the Eaton Company its successors and assigns, to the intent that such rights shall be appurtenances of the twenty-foot strip and/or the lands described in Schedule "C" hereto annexed.

14. In case the City shall fail to obtain legislation validating this agreement at the next ensuing session of the Ontario Legislature, this agreement shall be null and void, and neither parties shall have any rights against the other, except rights arising out of the agreement, dated the 11th day of September, 1923, hereinbefore referred to.

In witness whereof the parties hereto have executed these presents.

SIGNED, SEALED AND DELIVERED
in the presence of:

THE CORPORATION OF THE CITY OF HAMILTON,

(Sgd.) F. F. TRELEAVEN,
Mayor.
(Sgd.) S. H. KENT,
City Clerk.

[SEAL.]

as to the
T. EATON CO.

J. ELLIOTT,
Toronto.

T. EATON CO., LIMITED,
(Company seal)
H. MCGEE,
Vice-President.
J. J. VAUGHAN,
Secretary-Treasurer.

DESCRIPTION OF LANDS REFERRED TO AS SCHEDULE "A".

All and singular that certain parcel or tract of land and premises, situate, lying and being in the city of Hamilton, in the county of Wentworth, in the Province of Ontario, being composed of part of lot number four (4) in David Kirkendall's Survey, and part of what was formerly known as Andrew Miller's seven acre tract in the block bounded by James, Merrick, MacNab and York Streets, in the aforesaid city of Hamilton, and which said parcel may be more particularly described as follows, that is to say:

Commencing at a point in the southern limit of Merrick Street where it is intersected by the production northerly of the western face of the western wall of the store building occupied by the T. Eaton Co., said point of intersection being distant one hundred and thirty feet and five and one-quarter inches (130' 5¼") more or less measured westerly along the said southern limit of Merrick Street from the westerly limit of James Street.

Thence north seventy degrees and six minutes west (N. 70° 06' W.) along the said southern limit of Merrick Street a distance of twenty feet (20' 0") to a point.

Thence south seventeen degrees and fifty-three minutes west (S. 17° 53' W.) a distance of two hundred and nineteen feet and six inches (219' 6") to a point distant twenty feet (20' 0") measured on a course of north seventy degrees and six minutes west (N. 70° 06' W.) from the southwest corner of the said store building now occcpied by The T. Eaton Co., Ltd.

Thence south seventy degrees and six minutes east (S. 70° 06' E.) a distance of twenty feet (20' 0") to the southwest corner of the said store building now occupied by the T. Eaton Co., Ltd.

Thence northerly along the said western face of the western wall of the store building now occupied by The T. Eaton Co., Ltd., and the production thereof northerly a distance of two hundred and nineteen feet and six inches (219' 6") more or less to the place of beginning.

The above described parcel of land being further shown edged in red on the attached plan.

DESCRIPTION OF LAND REFERRED TO AS SCHEDULE "B".

All and singular that certain parcel or tract of land and premises, situate lying and being in the city of Hamilton, in the county of Wentworth, in the Province of Ontario, being composed of part of lot number four (4) in David Kirkendall's Survey, and part of what was formerly known as Andrew Miller's seven-acre tract in the block bounded by James, Merrick, MacNab and York Streets, in the aforesaid city of Hamilton, and which said parcel may be more particularly described as follows, that is to say:

Commencing at a point in the southern limit of Merrick Street which is distant twenty feet (20′ 0″) measured westerly thereon from the intersection of the production northerly of the western face of the western wall of the store building now occupied by The T. Eaton Co., with the said southern limit of Merrick Street, the last mentioned intersection being distant one hundred and thirty feet and five and one-quarter inches (130′ 5¼″) more or less, measured westerly along the said southern limit of Merrick Street from the western limit of James Street.

Thence south seventeen degrees and fifty-three minutes west (S. 17° 53′ W.) a distance of two hundred and nineteen feet and six inches (219′ 6″) to a point distant twenty feet (20′ 0″) measured on a course of north seventy degrees and six minutes west (N. 70° 06′ W.) from the southwest corner of the said store building now occupied by The T. Eaton Co., Ltd.

Thence north seventy degrees and six minutes west (N. 70° 06′ W.) a distance of fifteen feet (15′ 0″) to a point.

Thence north seventeen degrees and fifty-three minutes east (N. 17° 53′ E.) a distance of two hundred and nineteen feet and six inches (219′ 6″) more or less to a point in the said southern limit of Merrick Street.

Thence south seventy degrees and six minutes east (S. 70° 06′ E.) along the said southern limit of Merrick Street a distance of fifteen feet (15′ 0″) to the place of beginning.

The above described parcel of land being further shown edged in green on the attached plan.

DESCRIPTION OF LANDS REFERRED TO AS SCHEDULE "C".

All and singular that certain parcel or tract of land and premises situate, lying and being in the city of Hamilton in the County of Wentworth, in the Province of Ontario being composed of Lots Number One and Two on the westerly side of James Street and part of Lot Number Four on the southerly side of Merrick Street in the block bounded by James, Merrick, MacNab and York Streets, in David Kirkendall's survey registered in the Registry Office for the County of Wentworth as plan No. 39, and part of Andrew Miller's Seven acre tract as shown on plan filed in the Registry Office for the County of Wentworth in Miscellaneous Drawer Number Two and which may be more particularly described as follows, that is to say:

Commencing at the intersection of the westerly limit of James Street with the southerly limit of Merrick Street. Thence north seventy degrees and six minutes west (N. 70° 06′ W.) along the southerly limit of Merrick Street one hundred and thirty feet and five and one-quarter inches (130′ 5¼″) more or less to an intersection with the production northerly of the westerly face of the westerly wall of the building erected on the lands herein described and now occupied by the T. Eaton Co., Limited. Thence southerly to and along the said westerly face of the westerly wall of the aforesaid building two hundred and nineteen feet and six inches (219′ 6″) more or less to the south westerly angle of the said building. Thence easterly along the southerly face of the southerly wall of the said building, one hundred and thirty feet and two inches (130′ 2″) more or less to the westerly limit of James Street, thence north eighteen degrees east (N. 18°E.) along the westerly limit of James Street two hundred and fourteen feet and eleven and one-quarter inches (214′ 11¼″) more or less to the place of beginning. (Note the bearings in this description are referenced to the westerly limit of James Street assumed to be north eighteen degrees east (N. 18°E.)

The above described parcel of land being further shown edged in yellow on the attached plan.

No. 6.

2nd Session. 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting the City of Hamilton.

1st Reading, February 14th,	1928.
2nd Reading,	1928.
3rd Reading,	1928.

(*Reprinted as amended by the Private Bills Committee.*)

MR. JUTTEN.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 7. 1928.

BILL

An Act respecting the City of Galt.

Preamble.

WHEREAS the corporation of the City of Galt by its petition prayed that it should be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of Galt Act, 1928.*

Application of remainder of proceeds of debentures issued under By-law No. 1673.

2. Notwithstanding anything contained in By-law Number 1673 of the City of Galt, passed on the 25th day of January, 1921, the said corporation may pay to the Galt Hospital Trust the unexpended balance of the proceeds of the debentures of the City of Galt issued and sold under said By-law Number 1673, and the Galt Hospital Trust may receive and expend the said unexpended balance of proceeds for the purpose of necessary capital expenditures in connection with the Galt Hospital, including the erection of a modern elevator therein, in lieu of the purposes set forth in said By-law Number 1673.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

No. 7.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting the City of Galt.

1st Reading,	1928.
2nd Reading,	1928.
3rd Reading,	1928.

(*Private Bill.*)

MR. HOMUTH.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 7. 1928.

BILL

An Act respecting the City of Galt.

Preamble.

WHEREAS the corporation of the city of Galt has by its petition represented that by its by-law number 1673 duly passed after having been submitted to the vote of the electors, the said corporation provided for the issue of debentures for the sum of $55,000 for the purpose of completing the heating system of the Galt Hospital and enlarging and converting into a properly equipped maternity hospital, the old Nurses' Home of the Galt Hospital; and that in pursuance of the provisions of the said by-law, the corporation issued and sold its debentures to the amount of $55,000 and paid over to the Galt hospital trust the sum of $11,171.66, which sum was used by the trust for the purpose of completing the heating system of such hospital; and that it was found to be impossible to satisfactorily convert the old Nurses' Home into a maternity hospital and the corporation has retained the balance of such moneys up to the present time; and that there is great need for permanent additions and improvements to said hospital and especially for a modern and properly equipped elevator and the hospital trust, has, in writing, requested the corporation to pay over the said remaining moneys to the trust for the purposes of such necessary expenditures; and whereas the said corporation has by its petition prayed that it should be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of Galt Act, 1928.*

Application of remainder of proceeds of debentures issued under By-law No. 1673.

2. Notwithstanding anything contained in By-law Number 1673 of the City of Galt, passed on the 25th day of January, 1921, the said corporation may pay to the Galt Hospital Trust the unexpended balance of the proceeds of the debentures of the City of Galt issued and sold under said By-law Number 1673, and the Galt Hospital Trust may receive and expend

the said unexpended balance of proceeds for the purpose of necessary capital expenditures in connection with the Galt Hospital, including the erection of a modern elevator therein, in lieu of the purposes set forth in said By-law Number 1673.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

No. 7.

2nd Session, 17th Legislature.
18 George V, 1928.

BILL.

An Act respecting the City of Galt.

1st	Reading, 14th February,	1928.
2nd	Reading,	1928.
3rd	Reading,	1928.

(*Reprinted as amended by the Private Bills Committee*).

MR. HOMUTH.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 8. 1928.

BILL

An Act respecting the Town of Waterloo

Preamble.

WHEREAS the municipal corporation of the town of Waterloo has by its petition represented that the existing boundary line between the city of Kitchener and the town of Waterloo is not satisfactory on account of the fact that John Street and some of the lots fronting thereon between Esson Street and Westmount Boulevard are partly within the limits of the city of Kitchener and partly within the limits of the town of Waterloo, which causes complications in the matter of the assessments of various properties and the maintenance of pavements and sidewalks, and other municipal works; and that the municipal council of the corporation of the city of Kitchener has given its consent and approval to a new boundary line by which the whole of John Street between Esson Street and Westmount Boulevard, and all of the lots fronting thereon, should become part of the town of Waterloo; and whereas the said municipal corporation of the town of Waterloo has by its petition prayed for special legislation with regard to the matters herein set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of Waterloo Act, 1928*.

Certain lands annexed to Town of Waterloo.

2.—(1) The lands hereinafter described, namely: All and singular that certain parcel or tract of land and premises situate, lying and being in the city of Kitchener, in the county of Waterloo, and Province of Ontario, being composed of parts of lots 361, 362, 363, 364, 365, 375, 376, 377, 378, 379, 405, 465, 464, 463, 462, 461, 460, 441, 440, 439, and lots 404, 403, 402, 401, 400, 424, 423, 422, 421, 420, 419, 436, 437, 438, and part of Westmount Boulevard, Hillcrest Avenue, Roslin Avenue, Dunbar Road, Avondale Avenue and John Street, according to registered plan number 248, for said city, lots 48, 49, 50, 51, 52, 53 and part of lots 54, 55, 56, 57, 58, 35, 36 and 37, and part of Earl Street, Fischer Street and John

Street, according to registered plan number 203 for said city and which said parcel may be more particularly described as follows, that is to say: Commencing at the intersection of the westerly limit of Westmount Boulevard and the present boundary between the city of Kitchener and the town of Waterloo; thence southeasterly along said westerly limit of Westmount Boulevard to its intersection with the production south westerly of the southerly limit of lot 361, plan 248; thence northeasterly across Westmount Boulevard to the southwesterly angle of said lot 361; thence northeasterly along the southerly limits of lots 361, 362, 363, 364, 365 to the southeasterly angle of said lot 365; thence northeasterly across Hillcrest Avenue to the southwesterly angle of lot 375, plan 248; thence northeasterly along the southerly limits of lots 375, 376, 377, 378 and 379 to the southeasterly angle of said lot 379; thence northeasterly across Roslin Avenue to the southwesterly angle of lot 405 of said survey; thence northeasterly along the southerly limits of lots 405, 404, 403, 402, 401 and 400 to the southeasterly angle of said lot 400; thence northeasterly across Dunbar Road to the southwesterly angle of lot 424, said survey; thence northeasterly along the southerly limits of lots 424, 423, 422, 421, 420 and 419 to the southeasterly angle of said lot 419; thence northeasterly across Avondale Avenue to the southwesterly angle of lot 436 said plan 248; thence northeasterly along the southerly limit of lots 436, 437 and 438 to the southeasterly angle of said lot 438, plan 248; thence northwesterly along the easterly limit of said lot 438 to the southwesterly angle of lot 48, plan 203; thence northeasterly along the southeasterly limits of lots 48 and 49, said plan 203 to the southeasterly angle of said lot 49; thence northeasterly across Earl Street to the southwesterly angle of lot 50, said plan 203; thence northeasterly along the southeasterly limits of lots 50, 51, 52, 53 and 54 to the southeasterly angle of said lot 54; thence northeasterly across Fischer Street to the southwesterly angle of lot 55, said plan 203; thence northeasterly along the southeasterly limits of lots 55, 56, 57 and 58 to the intersection of the line of said limits with the present boundary between the city of Kitchener and the town of Waterloo; thence southwesterly along said present boundary to the place of beginning, are hereby annexed to and shall form part of the town of Waterloo.

(2) Such annexation shall be deemed to have taken place and shall have effect on, from and after the first day of January, 1928.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

No. 8.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting the Town of Waterloo.

1st	Reading,	1928.
2nd	Reading,	1928.
3rd	Reading,	1928.

(*Private Bill.*)

MR. WEICHEL.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 9. 1928.

BILL

An Act respecting the Township of Crowland.

Preamble.

WHEREAS the corporation of the township of Crowland has by its petition represented that the Board of Commissioners of Police as constituted by the Act passed in 1919 and chaptered 88, is not suitable or necessary and increases the cost of administration of the police department; and whereas the said corporation has by its petition prayed that an Act may be passed repealing the said Act; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Township of Crowland Act, 1928*.

1919, c. 88, repealed.

2. Chapter 88 of the Acts passed in 1919, intituled *An Act to constitute a Board of Commissioners of Police for the Township of Crowland* is hereby repealed.

commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

No. 9.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting the Township of Crowland.

1st Reading,	1928.
2nd Reading,	1928.
3rd Reading,	1928.

(*Private Bill.*)

MR. VAUGHAN.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 10. 1928.

BILL

An Act respecting the Essex Border Utilities Commission.

Preamble.

WHEREAS the Essex Border Utilities Commission has by its petition represented that it is desirable that the proceedings taken by the township of Sandwich East under *The Consolidated Essex Border Utilities Act* to bring the westerly portion of the said township as described in by-law number 1050-A within the jurisdiction of the commission be confirmed and the said area defined; and also that the proceedings taken by the township of Sandwich West to bring certain areas within the jurisdiction of the commission under the said Act be confirmed and the areas defined; and also that it be made plain that the authority given to the said commission to construct sewers shall include drains to carry surface, storm and waste water; and that the said commission be authorized to take the preliminary proceedings to construct such a sewer to drain the Grand Marais basin within the Essex Border municipalities; and to make the references to Statutes in the said Act apply to the Revised Statutes; and that *The Consolidated Essex Border Utilities Act* may be amended accordingly; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Essex Border Utilities Act, 1928*.

1921, c. 99, s. 2, cl. (*h*) (1922, c. 109, s. 2), repealed.

2.—(1) The clause lettered *h* in section 2 of *The Consolidated Essex Border Utilities Act* as amended by section 2 of the Act passed in the year 1922, chaptered 109, is repealed and the following substituted therefor,—

(*h*) "Essex Border Municipalities" shall mean and include the municipal corporations of the city of Windsor, the towns of Walkerville, Sandwich, Ford City, Riverside, LaSalle and Ojibway and those

portions of the townships of Sandwich East and Sandwich West defined in schedules "A" and "C" and such other areas thereof as may be added under the provisions of this Act and any new municipalities hereafter established which include any portion thereof and "Essex Border Utilities District" shall mean the area of land from time to time included within the same;

(2) Section 2 is further amended by adding thereto the following clause,—

(*p*) "LaSalle" shall mean the corporation of the town of LaSalle.

1921, c. 99, s. 2, amended.

3. Section 2 of the said Act is further amended by adding thereto the following clause,—

(*q*) The word "Electors" shall mean electors qualified to vote on money by-laws under the provisions of section 274 of *The Municipal Act*, except when used in subsection 1 of section 3 of this Act.

Rev. Stat., c. 233.

1921, c. 99, s. 3, subs. 1, amended.

4. Subsection 1 of section 3 of the said Act is amended by striking out clauses *h* and *i* and substituting therefor the following:

(*h*) The mayor of LaSalle shall be *ex-officio* a member of the commission, and the electors of La Salle shall every three years elect one person to be a member of the commission.

(*i*) The reeve of Sandwich East shall be *ex-officio* a member of the commission and the electors of Sandwich East shall every three years elect one person to be a member of the commission.

(*j*) The elected commissioners shall hold office for a term of three years.

(*k*) The council of the corporation of the township of Sandwich East shall appoint one person to be a member of the commission for the year 1928 and his successor shall be elected at the next annual municipal election.

1921, c. 99, s. 3, subs. 3, cl. (*d*) (1926, c. 78, s. 7), repealed.

5.—(1) The clause lettered *d* in subsection 3 of section 3 of the said Act as enacted by section 7 of *The Essex Border Utilities Act, 1926*, is repealed and the following substituted therefor:

(*d*) Where at an election a majority of the electors voting in any area forming part of the township of Sandwich East or of Sandwich West, have voted favourably upon a question whether they desire the provisions of *The Consolidated Essex Border Utilities Act* to apply to such area, the council of the corporation of the township of Sandwich East or of the township of Sandwich West as the case may be, may pass a by-law making the provisions of the said Act applicable to such area and the provisions of the said Act shall thereafter apply to such area as if contained in schedule "A" or "C" hereto. Provision for bringing in parts of Townships of Sandwich East and West.

(2) The clause lettered *e* in subsection 3 of section 3 of the said Act as so enacted, is repealed and the following substituted therefor: 1921, c. 99, s. 3, subs. 3, cl. (*e*) (1926, c. 78, s. 7), repealed.

(*e*) The council of a township adjoining the Essex Border Utilities district where the electors of any area thereof have voted in favour of including the area in the Essex Border municipalities may (if not already represented) appoint a commissioner for the year in which the election takes place and the provisions of this Act shall thereafter apply thereto. Appointment of a Commissioner.

6. Subsection 4 of section 24 of the said Act as amended by section 17 of *The Essex Border Utilities Act, 1924*, is repealed and the following substituted therefor: 1921, c. 99, s. 24, subs. 4, (1924, c. 93, s. 77), repealed.

(4) Notwithstanding the provisions of section 12 of *The Public Health Act*, from and after the first day of July, 1919, the local boards of health and medical officers of health for the municipalities of the city of Windsor, towns of Walkerville, Sandwich, Ford City and Ojibway, shall be discontinued, but the town of LaSalle and those portions of the townships of Sandwich West and Sandwich East included within the Essex Border municipalities so long as they are not included in any urban municipality shall not be included within the jurisdiction of the local board of health for the Essex Border municipalities. Local boards of health discontinued.

7. Schedule "A" of the said Act is repealed and the following substituted therefor: 1921, c. 99, Schedule "A," repealed.

SCHEDULE "A"

All those portions of the Township of Sandwich West bounded as follows:—

AREA No. 1

Bounded on the east and south as follows:—Commencing at the intersection of the southerly limit of the City of Windsor and the centre line of Howard Avenue; thence southerly along the centre line of Howard Avenue and the line between the Township of Sandwich East and Sandwich West to its intersection with the road allowance between the Third and Fourth Concessions; thence southerly along the centre line of the said Howard Avenue being the boundary of the Township of Sandwich South, to its intersection with the centre line of the Talbot Road; thence westerly along the centre line of the Talbot Road to a point in the limit between farm lots 3 and 4 in the Fifth Concession produced southerly; thence northerly along the said limit between lots 3 and 4 and its productions to the centre line of the road allowance between the Fourth and Fifth Concessions; thence westerly along the centre line of the road allowance between the Fourth and Fifth Concessions to a point in the westerly limit of registered plan 1241 produced southerly; thence northerly following the westerly limit of plan 1241 and its productions to the centre line of the road allowance between the Third and Fourth Concessions; thence westerly following the last mentioned road allowance to the Huron Church Line; thence southerly along the Huron Church Line to the road in rear of the Second Concession (Petite Cote); thence southerly along the said road in rear of the Second Concession to the southerly limit of farm lot 36; thence westerly along said limit of farm lot 36 to the easterly limit of the Town of LaSalle at its intersection with the Malden Road; thence northerly along the Malden Road to the northerly limit of the Town of LaSalle, thence along the northerly limit of the Town of LaSalle, to the Detroit River, and bounded on the west and north as follows in order, the Detroit River, the Town of Ojibway, the Detroit River, the Town of Sandwich and the City of Windsor.

AREA No. 2

Bounded on the north by the southerly limit of the Town of LaSalle, on the west by the Detroit River, on the south by the Anderdon town line and on the east as follows:—Commencing at the intersection of the southerly limit of the Town of LaSalle with the Matchett Road; thence southerly along the Matchett Road to the centre line of Martins Lane; thence southerly parallel with the easterly limit of the River Front Road to a point distant 250 feet measured southerly at right angles to the southerly limit of Martins Lane; thence westerly and parallel with the southerly limit of Martins Lane to a point distant 2,000 feet measured parallel to Martins Lane from the easterly limit of the Front Road; thence southerly and parallel to the easterly limit of the Front Road to the line between the Townships of Sandwich West and Anderdon.

1921, c. 99, Schedule "C," repealed.

8. Schedule "C" of the said Act is repealed and the following substituted therefor:

SCHEDULE "C"

All that part of the Township of Sandwich East bounded as follows:—Commencing at the intersection of the town line between Sandwich South and Sandwich East with the town line between the Townships of Sandwich West and Sandwich East and proceeding easterly along the town line between Sandwich South and Sandwich East to the Pillette Road; thence northerly along Pillette Road to the Third Concession Road; thence easterly along the Third Concession Road to the line between farm lots 117 and 118; thence northerly along the last mentioned line to the lands of the Canadian National Railway; thence westerly along the southerly

boundary of the Canadian National Railway to the line between the Township of Sandwich East and the Town of Ford City; thence southerly along the last mentioned line to Tecumseh Road; thence westerly along Tecumseh Road to the boundary between the Township of Sandwich East and the Town of Walkerville; thence southerly along the said boundary to the Canadian Pacific Railway right-of-way and continuing westerly along the boundaries of the Town of Walkerville and the City of Windsor to the boundary between the Townships of Sandwich East and Sandwich West; thence southerly along the said boundary to the point of beginning.

9. Section 2 of the said Act is amended by adding the following clause: 1921, c. 99, s. 2, amended.

(*q*) "Sewer" shall mean trunk sewer or drain and include a means for carrying surface, storm or waste water as well as sanitary sewage.

10. Subsection 11 of section 22 of the said Act as enacted by *The Essex Border Utilities Act, 1926*, is repealed and the following substituted therefor: 1921, c. 99, s. 2, subs. 11 (1926, c. 78, s. 2), repealed.

(11) (*a*) The commission may by by-law authorize its engineer to make a report under section 13 upon the construction of a sewer to drain the sanitary sewage and surface storm and waste water from the Grand Marais basin together with the necessary connections and appliances and outlet works and pumping and treatment or disposal plants as a work to be constructed under the provisions of this Act and the cost of the report shall be paid in the same proportions as the cost of the work is charged in the said report by the municipalities within which any of the lands charged are situate. Commission may authorize report on Grand Marais sewer.

(*b*) The report shall define the Grand Marais basin and set out the areas in the urban and rural municipalities within which the lands receive equal benefit and any other lands which should be charged and shall determine the share of the cost which should be borne by each area and by the other lands which should be charged, and the amount to be paid by each of the municipal corporations at large. Report to set out areas to be benefitted.

(*c*) The total cost shall include any amounts payable for compensation or damage incidental to the construction. Total cost to include compensation.

(*d*) An appeal under section 14 may also be taken from such report by any owner and the board may vary the proportion to be paid by any such area, other lands or the municipal corporations and may redefine the said areas and eliminate lands which should not be charged. Appeal.

Assent of electors.

(*e*) Notwithstanding any provisions to the contrary in this Act the question to be submitted under section 15 shall be submitted only to the electors within the areas benefitted and of the other lands charged and the approval of a majority of the electors voting shall authorize the construction of the said work and the corporations within which any of the said lands are situate shall be deemed thereby to have approved under the provisions of this Act and the provisions of this Act shall apply to the same, subject always to the consent of the Department of Health which may authorize the construction of the said work without the said approval under the provisions of *The Public Health Act*.

Rev. Stat., c. 262.

Power to borrow.

(*f*) Upon authorization the commission may by by-law borrow under the provisions of section 10 a sum not greater than the estimated cost.

Apportionment of liability for amounts borrowed.

(*g*) The by-law or by-laws of the commission providing for the borrowing of the money shall set out the amounts to be raised from each area defined, the other lands charged and the municipal corporations at large and the said amounts shall be raised by special rates on all the rateable property of each accordingly; the clerks of the several municipal corporations shall enter the amount payable by each person in the collector's roll annually for the term of the debentures and the same shall be collected at the same time and in the same manner as ordinary municipal taxes.

Excess, if any, over estimated cost.

(*h*) In case the actual cost shall exceed the estimated cost the excess shall be borne in the same proportions and shall be raised by special rates in the same manner as the amounts required to be raised under clause *g* hereof.

1921, c. 99, s. 22, subs. 6, amended.

(*i*) Subsection 6 of section 22 of *The Consolidated Essex Border Utilities Act* is amended by striking out the words "intercepting sewer system" in the second and in the twelfth and thirteenth lines thereof and substituting therefor the words "trunk sewer" in each case and also by striking out the word "constructed" in the fourth line thereof.

Power to extend area after construction of sewer.

(*j*) After the construction of the said Grand Marais sewer the commission may from time to time upon application made by the council of any Essex Border municipality charged with any part of the

cost and upon a report of the engineer recommending same enlarge or extend any of the areas so defined and may re-apportion the costs accordingly subject to an appeal under section 14 hereof.

Consent of municipalities to be charged, if Drainage Referee directs construction of a certain drain.

(*k*) Provided always that should the Drainage Referee in the matter now before him under the provisions of *The Municipal Drainage Act* in which the municipal corporation of the township of Sandwich West and the Canadian Pacific Railway and others are appellants and the municipal corporation of the township of Sandwich East is respondent before the passing of the by-law under clause *f* hereof have directed the construction of the drain as set out in the report of R. W. Code, dated the 14th day of February, 1927, the commission shall not pass any by-law authorizing the borrowing of the money for constructing the said Grand Marais sewer without the consent by by-law of the councils of the Essex Border municipalities charged with any part of the cost.

11. Clause *g* of subsection 7 of section 3 of *The Consolidated Essex Border Utilities Act, 1921*, is amended by striking out the figure "41" in the first line thereof and substituting therefor the figures "42."

12. Subsection 2 of section 10 of *The Consolidated Essex Border Utilities Act, 1921*, as amended by *The Essex Border Utilities Act, 1925*, is amended by striking out the words and figures "sections 295 and 296" in the second line thereof and substituting therefor the words and figures "sections 304 and 305."

13. Subsection 7 of section 10 of *The Consolidated Essex Border Utilities Act, 1921*, is amended by striking out the words and figures "section 319*a*" in the eighth line thereof and substituting therefor the words and figures "section 335."

14. Subsection 3 of section 15 of *The Consolidated Essex Border Utilities Act, 1921*, is amended by striking out the figures "265" in the third line thereof and substituting therefor the figures "274."

15. Subsection 6 of section 22 of *The Consolidated Essex Border Utilities Act, 1921*, is amended by striking out the figures "94" in the tenth line thereof and substituting therefor the figures "93."

16. Subsection 3 of section 23 of *The Consolidated Essex*

Border Utilities Act, 1921, is amended by striking out the figures "56" in the sixth line thereof and the figures "15" in the seventh line thereof and substituting therefor the figures "60" and "14" respectively.

17. Subsection 4 of section 24 of *The Consolidated Essex Border Utilities Act* as amended by *The Essex Border Utilities Act, 1924*, is amended by striking out the figures "14" in the first line thereof and substituting therefor the figures "12."

18. Subsection 9 of section 24 of *The Consolidated Essex Border Utilities Act* is amended by striking out the figures "25" in the third line thereof and substituting therefor the figures "23."

19. Subsection 10 of section 24 of *The Consolidated Essex Border Utilities Act* is amended by striking out the figures "34" in the first line thereof and substituting therefor the figures "33."

20. Subsection 6 of section 25 of *The Consolidated Essex Border Utilities Act* is amended by striking out the words and figures "49, 50 and 51," in the second line thereof and substituting therefor the words and figures "48, 49 and 50."

21. Subsection 7 of section 27 of *The Consolidated Essex Border Utilities Act* is amended by striking out the words and figures "19, 20 and 21" in the first line thereof and substituting therefor the words and figures "18, 19 and 20."

22. Subsection 3 of section 28 of *The Consolidated Essex Border Utilities Act* as amended by *The Essex Border Utilities Act, 1924*, is amended by striking out in the second line thereof the figure "6" and substituting therefor the figure "5" and striking out the words and figures "as amended by the Act passed in the ninth year of the reign of His Majesty King George V, chaptered 53."

23. Subsection 4 of section 28 of *The Consolidated Essex Border Utilities Act* is amended by striking out the figure "7" in the fifth line thereof and substituting therefor the figure "6."

24. Clause *c* of subsection 4 of section 28 of *The Consolidated Essex Border Utilities Act* as amended by section 5 of the Acts passed in the twelfth and thirteenth years of the reign of His Majesty King George V, chaptered 93, as amended by *The Essex Border Utilities Act, 1924*, is amended by striking out the figure "6" in the second line thereof and substituting therefor the figure "5."

25. Subsection 5 of section 28 of *The Consolidated Essex Border Utilities Act* is amended by striking out the figure "5" in the second line thereof and substituting therefor the figure "4" and by striking out the words and figures "472, 473 and 474" in the eighth line thereof and substituting therefor the words and figures "483, 484 and 485."

Ontario.
18 George V, 1928.

BILL.

An Act respecting the Essex Border Utilities Commission.

1st Reading

2nd Reading

3rd Reading

MR. POISSON.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 10. 1928.

BILL

An Act respecting the Essex Border Utilities Commission.

Preamble.

WHEREAS the Essex Border Utilities Commission has by its petition represented that it is desirable that the proceedings taken by the township of Sandwich East under *The Consolidated Essex Border Utilities Act* to bring the westerly portion of the said township as described in by-law number 1050-A within the jurisdiction of the commission be confirmed and the said area defined; and also that the proceedings taken by the township of Sandwich West to bring certain areas within the jurisdiction of the commission under the said Act be confirmed and the areas defined; and also that it be made plain that the authority given to the said commission to construct sewers shall include drains to carry surface, storm and waste water; and that the said commission be authorized to take the preliminary proceedings to construct such a sewer to drain the Grand Marais basin within the Essex Border municipalities; and to make the references to Statutes in the said Act apply to the Revised Statutes; and that *The Consolidated Essex Border Utilities Act* may be amended accordingly; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Essex Border Utilities Act, 1928*.

1921, c. 99, s. 2, cl. (*h*) (1922, c. 109, s. 2), repealed.

2.—(1) The clause lettered *h* in section 2 of *The Consolidated Essex Border Utilities Act* as amended by section 2 of the Act passed in the year 1922, chaptered 109, is repealed and the following substituted therefor,—

(*h*) "Essex Border Municipalities" shall mean and include the municipal corporations of the city of Windsor, the towns of Walkerville, Sandwich, Ford City, Riverside, LaSalle and Ojibway and those

portions of the townships of Sandwich East and Sandwich West defined in schedules "A" and "C" and such other areas thereof as may be added under the provisions of this Act and any new municipalities hereafter established which include any portion thereof and "Essex Border Utilities District" shall mean the area of land from time to time included within the same;

(2) Section 2 is further amended by adding thereto the following clause,—

(*p*) "LaSalle" shall mean the corporation of the town of LaSalle.

1921, c. 99, s. 2, amended.

3. Section 2 of the said Act is further amended by adding thereto the following clause,—

(*q*) The word "Electors" shall mean electors qualified to vote on money by-laws under the provisions of section 274 of *The Municipal Act*, except when used in subsection 1 of section 3 of this Act.

Rev. Stat., c. 233.

1921, c. 99, s. 3, subs. 1, amended.

4. Subsection 1 of section 3 of the said Act is amended by striking out clauses *h* and *i* and substituting therefor the following:

(*h*) The mayor of LaSalle shall be *ex-officio* a member of the commission, and the electors of La Salle shall every three years elect one person to be a member of the commission.

(*i*) The reeve of Sandwich East shall be *ex-officio* a member of the commission and the electors of Sandwich East shall every three years elect one person to be a member of the commission.

(*j*) The elected commissioners shall hold office for a term of three years.

(*k*) The council of the corporation of the township of Sandwich East shall appoint one person to be a member of the commission for the year 1928 and his successor shall be elected at the next annual municipal election.

1921, c. 99, s. 3, subs. 3, cl. (*d*) (1926, c. 78, s. 7), repealed.

5.—(1) The clause lettered *d* in subsection 3 of section 3 of the said Act as enacted by section 7 of *The Essex Border Utilities Act, 1926*, is repealed and the following substituted therefor:

(*d*) Where at an election a majority of the electors voting in any area forming part of the township of Sandwich East or of Sandwich West, have voted favourably upon a question whether they desire the provisions of *The Consolidated Essex Border Utilities Act* to apply to such area, the council of the corporation of the township of Sandwich East or of the township of Sandwich West as the case may be, may pass a by-law making the provisions of the said Act applicable to such area and the provisions of the said Act shall thereafter apply to such area as if contained in schedule "A" or "C" hereto. Provision for bringing in parts of Townships of Sandwich East and West.

(2) The clause lettered *e* in subsection 3 of section 3 of the said Act as so enacted, is repealed and the following substituted therefor: 1921, c. 99, s. 3, subs. 3, cl. (*e*) (1926, c. 78, s. 7), repealed.

(*e*) The council of a township adjoining the Essex Border Utilities district where the electors of any area thereof have voted in favour of including the area in the Essex Border municipalities may (if not already represented) appoint a commissioner for the year in which the election takes place and the provisions of this Act shall thereafter apply thereto. Appointment of a Commissioner.

6. Subsection 4 of section 24 of the said Act as amended by section 17 of *The Essex Border Utilities Act, 1924*, is repealed and the following substituted therefor: 1921, c. 99, s. 24, subs. 4, (1924, c. 93, s. 77), repealed.

(4) Notwithstanding the provisions of section 12 of *The Public Health Act*, from and after the first day of July, 1919, the local boards of health and medical officers of health for the municipalities of the city of Windsor, towns of Walkerville, Sandwich, Ford City and Ojibway, shall be discontinued, but the town of LaSalle and those portions of the townships of Sandwich West and Sandwich East included within the Essex Border municipalities so long as they are not included in any urban municipality shall not be included within the jurisdiction of the local board of health for the Essex Border municipalities. Local boards of health discontinued.

7. Schedule "A" of the said Act is repealed and the following substituted therefor: 1921, c. 99, Schedule "A," repealed.

SCHEDULE "A"

All those portions of the Township of Sandwich West bounded as follows:—

AREA NO. 1

Bounded on the east and south as follows:—Commencing at the intersection of the southerly limit of the City of Windsor and the centre line of Howard Avenue; thence southerly along the centre line of Howard Avenue and the line between the Township of Sandwich East and Sandwich West to its intersection with the road allowance between the Third and Fourth Concessions; thence southerly along the centre line of the said Howard Avenue being the boundary of the Township of Sandwich South, to its intersection with the centre line of the Talbot Road; thence westerly along the centre line of the Talbot Road to a point in the limit between farm lots 3 and 4 in the Fifth Concession produced southerly; thence northerly along the said limit between lots 3 and 4 and its productions to the centre line of the road allowance between the Fourth and Fifth Concessions; thence westerly along the centre line of the road allowance between the Fourth and Fifth Concessions to a point in the westerly limit of registered plan 1241 produced southerly; thence northerly following the westerly limit of plan 1241 and its productions to the centre line of the road allowance between the Third and Fourth Concessions; thence westerly following the last mentioned road allowance to the Huron Church Line; thence southerly along the Huron Church Line to the road in rear of the Second Concession (Petite Cote); thence southerly along the said road in rear of the Second Concession to the southerly limit of farm lot 36; thence westerly along said limit of farm lot 36 to the easterly limit of the Town of LaSalle at its intersection with the Malden Road; thence northerly along the Malden Road to the northerly limit of the Town of LaSalle, thence along the northerly limit of the Town of LaSalle, to the Detroit River, and bounded on the west and north as follows in order, the Detroit River, the Town of Ojibway, the Detroit River, the Town of Sandwich and the City of Windsor.

AREA NO. 2

Bounded on the north by the southerly limit of the Town of LaSalle, on the west by the Detroit River, on the south by the Anderdon town line and on the east as follows:—Commencing at the intersection of the southerly limit of the Town of LaSalle with the Matchett Road; thence southerly along the Matchett Road to the centre line of Martins Lane; thence southerly parallel with the easterly limit of the River Front Road to a point distant 250 feet measured southerly at right angles to the southerly limit of Martins Lane; thence westerly and parallel with the southerly limit of Martins Lane to a point distant 2,000 feet measured parallel to Martins Lane from the easterly limit of the Front Road; thence southerly and parallel to the easterly limit of the Front Road to the line between the Townships of Sandwich West and Anderdon.

1921, c. 99 Schedule "C," repealed.

8. Schedule "C" of the said Act is repealed and the following substituted therefor:

SCHEDULE "C"

All that part of the Township of Sandwich East bounded as follows:—Commencing at the intersection of the town line between Sandwich South and Sandwich East with the town line between the Townships of Sandwich West and Sandwich East and proceeding easterly along the town line between Sandwich South and Sandwich East to the Pillette Road; thence northerly along Pillette Road to the Third Concession Road; thence easterly along the Third Concession Road to the line between farm lots 117 and 118; thence northerly along the last mentioned line to the lands of the Canadian National Railway; thence westerly along the southerly

boundary of the Canadian National Railway to the line between the Township of Sandwich East and the Town of Ford City; thence southerly along the last mentioned line to Tecumseh Road; thence westerly along Tecumseh Road to the boundary between the Township of Sandwich East and the Town of Walkerville; thence southerly along the said boundary to the Canadian Pacific Railway right-of-way and continuing westerly along the boundaries of the Town of Walkerville and the City of Windsor to the boundary between the Townships of Sandwich East and Sandwich West; thence southerly along the said boundary to the point of beginning.

9. Section 2 of the said Act is amended by adding the following clause: 1921, c. 99, s. 2, amended.

(*q*) "Sewer" shall mean trunk sewer or drain and include a means for carrying surface, storm or waste water as well as sanitary sewage. ☞Nothing herein contained shall interfere with the jurisdiction of the several Essex Border municipalities as to drains and sewers lying wholly within their respective territorial limits.☜

10. Subsection 11 of section 22 of the said Act as enacted by *The Essex Border Utilities Act, 1926*, is repealed and the following substituted therefor: 1921, c. 99, s. 2, subs. 11 (1926, c. 78, s. 2), repealed.

(11) (*a*) The commission may by by-law authorize its engineer to make a report under section 13 upon the construction of a sewer to drain the sanitary sewage and surface storm and waste water from the Grand Marais basin together with the necessary connections and appliances and outlet works and pumping and treatment or disposal plants as a work to be constructed under the provisions of this Act and the cost of the report shall be paid in the same proportions as the cost of the work is charged in the said report by the municipalities within which any of the lands charged are situate. Commission may authorize report on Grand Marais sewer.

(*b*) The report shall define the Grand Marais basin and set out the areas in the urban and rural municipalities within which the lands receive equal benefit and any other lands which should be charged and shall determine the share of the cost which should be borne by each area and by the other lands which should be charged, and the amount to be paid by each of the municipal corporations at large. Report to set out areas to be benefitted.

(*c*) The total cost shall include any amounts payable for compensation or damage incidental to the construction. Total cost to include compensation.

(*d*) An appeal under section 14 may also be taken from such report by any owner and the board may vary Appeal.

the proportion to be paid by any such area, other lands or the municipal corporations and may redefine the said areas and eliminate lands which should not be charged.

Assent of electors.

(*e*) Notwithstanding any provisions to the contrary in this Act the question to be submitted under section 15 shall be submitted only to the electors within the areas benefitted and of the other lands charged and the approval of a majority of the electors voting shall authorize the construction of the said work and the corporations within which any of the said lands are situate shall be deemed thereby to have approved under the provisions of this Act and the provisions of this Act shall apply to the same, subject always to the consent of the Department of Health which may authorize the construction of the said work without the said approval under the provisions of *The Public Health Act*.

Rev. Stat., c. 262.

Power to borrow.

(*f*) Upon authorization the commission may by by-law borrow under the provisions of section 10 a sum not greater than the estimated cost.

Apportionment of liability for amounts borrowed.

(*g*) The by-law or by-laws of the commission providing for the borrowing of the money shall set out the amounts to be raised from each area defined, the other lands charged and the municipal corporations at large and the said amounts shall be raised by special rates on all the rateable property of each accordingly; the clerks of the several municipal corporations shall enter the amount payable by each person in the collector's roll annually for the term of the debentures and the same shall be collected at the same time and in the same manner as ordinary municipal taxes.

Excess, if any, over estimated cost.

(*h*) In case the actual cost shall exceed the estimated cost the excess shall be borne in the same proportions and shall be raised by special rates in the same manner as the amounts required to be raised under clause *g* hereof.

1921, c. 99, s. 22, subs. 6, amended.

(*i*) Subsection 6 of section 22 of *The Consolidated Essex Border Utilities Act* is amended by striking out the words "intercepting sewer system" in the second and in the twelfth and thirteenth lines thereof and substituting therefor the words "trunk sewer" in each case and also by striking out the word "constructed" in the fourth line thereof.

(*j*) After the construction of the said Grand Marais sewer the commission may from time to time upon application made by the council of any Essex Border municipality charged with any part of the cost and upon a report of the engineer recommending same enlarge or extend any of the areas so defined and may re-apportion the costs accordingly subject to an appeal under section 14 hereof. Power to extend area after construction of sewer.

(*k*) Provided always that should the Drainage Referee in the matter now before him under the provisions of *The Municipal Drainage Act* in which the municipal corporation of the township of Sandwich West and the Canadian Pacific Railway and others are appellants and the municipal corporation of the township of Sandwich East is respondent before the passing of the by-law under clause *f* hereof have directed the construction of the drain as set out in the report of R. W. Code, dated the 14th day of February, 1927, the commission shall not pass any by-law authorizing the borrowing of the money for constructing the said Grand Marais sewer without the consent by by-law of the councils of the Essex Border municipalities charged with any part of the cost. Consent of municipalities to be charged, if Drainage Referee directs construction of a certain drain.

(*l*) If the construction of the said work is authorized the engineer may include as part of the cost of same the amount of the indebtedness heretofore incurred by the Townships of Sandwich East and Sandwich West in procuring the said report of R. W. Code and of the proceedings before the Drainage Referee in respect thereof which indebtedness shall be borne by such area as the said engineer of the Commission may direct unless the Drainage Referee shall have already determined how the same should be paid.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting the Essex Border Utilities Commission.

1st Reading

February 14th, 1928.

2nd Reading

3rd Reading

MR. POISSON.

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 11. 1928.

BILL

An Act to confirm certain By-laws of the Town of Sandwich.

Preamble.

WHEREAS the municipal corporation of the town of Sandwich has by its petition represented that it is desirable that certain by-laws and the debentures issued or to be issued thereunder should be validated and confirmed; and whereas the said corporation has by its petition prayed that an Act may be passed for the above purposes; and whereas it is expedient to grant the prayer of the said petition.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of Sandwich Debenture Act, 1928*.

Certain by-laws confirmed.

2. The by-laws specified in schedule "A" hereto and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

(*a*). By-law number 1632 passed on the 20th day of June, 1927, authorizing the issue of debentures to the amount of $4,865.00 to pay the cost of the extension of Fanchette Street as a local improvement.

(*b*). By-law number 1633 passed on the 20th day of June, 1927, authorizing the issue of debentures to the amount of $2,383.00 to pay the cost of the extension of Westminster Avenue as a local improvement.

(*c*). By-law number 1662 passed on the 8th day of November, 1927, authorizing the issue of debentures to the amount of $1,872.00 to pay the cost of further extension of Westminster Avenue as a local improvement.

(*d*). By-law number 1663 passed on the 8th day of November, 1927, authorizing the issue of debentures to the amount of $36,646.51 to pay the cost of a water main on the Huron Church Line as a local improvement.

(*e*). By-law number 1664 passed on the 8th day of November, 1927, to Consolidate the sums authorized to be borrowed by by-laws numbers 1632, 1633, 1662 and 1663.

No. 11.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act to confirm certain By-laws of the Town of Sandwich.

1st	Reading,	1928.
2nd	Reading,	1928.
3rd	Reading,	1928.

(*Private Bill.*)

MR. REID.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 12. 1928.

BILL

An Act to validate certain By-laws of the Town of Sandwich and for other Purposes.

Preamble. WHEREAS the municipal corporation of the town of Sandwich has by its petition represented that one of the parts of the Herbert Street sewer authorized to be constructed, as a separate work under By-law number 1587 of the corporation of the town of Sandwich passed on or about the 21st day of March, 1927, has been constructed and the southerly branch authorized by By-law number 1645 of the said corporation passed on the 26th day of September, 1927, has also been constructed and that it is desirable that the debentures to be issued to pay for the said work shall be consolidated and further that the agreement between the corporation of the town of Sandwich and the Board of Water Commissioners for the town of Sandwich for the collection by the said board as part of the water rates of the amounts necessary to liquidate the debentures issued to pay for the cost of installing water meters in the water system of the town may be validated and confirmed; and that sales of land made by the treasurer for arrears of taxes may be confirmed; and whereas the said corporation has prayed that an Act may be passed for the said purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1.** This Act may be cited as *The Town of Sandwich Act, 1928.*

By-law No. 1686, confirmed. **2.** By-law number 1686 of the municipal corporation of the town of Sandwich passed on the 16th day of January, 1928, and all debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the municipal corporation of the town of Sandwich and the township of Sandwich West and the ratepayers thereof.

By-law No. 1687, confirmed.

3. By-law number 1687 of the municipal corporation of the town of Sandwich passed on the 16th day of January, 1928, and all debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the municipal corporation of the town of Sandwich and the township of Sandwich West and the ratepayers thereof.

Collection of rates under By-law No. 1687.

4. The rates required by the said By-laws numbers 1686 and 1687 to be levied and collected in any year upon the land in the township of Sandwich West shall be collected by the council of the said township in the same manner as if such rates had been lawfully imposed by the council of the said township and said township shall pay to the treasurer of the town of Sandwich on or before the 14th day of December in each year the sums set out in paragraph 5 of each of the said by-laws and same shall be made whether or not such rates have been collected from the persons liable to pay the same, but such payment by the corporation shall not relieve any land especially assessed from the special rate thereon but it shall remain liable for the special rate until it is paid.

By-law No. 1688, confirmed.

5. By-law number 1688 of the municipal corporation of the town of Sandwich passed on the 16th day of January, 1928, and all debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the municipal corporation of the town of Sandwich and the township of Sandwich West and the ratepayers thereof.

Agreement confirmed.

6. The agreement between the corporation of the town of Sandwich and the Board of Water Commissioners for the town of Sandwich, dated the 6th of December, 1927, providing for the collection by special rate from the users of water in the town of Sandwich of a sufficient sum each year to liquidate the debentures issued to pay for the installation of water meters within the town as set out in schedule "B" hereto is hereby confirmed and declared to be legal, valid and binding upon the said corporation and By-law number 1689 of the said town authorizing the issue of debentures to pay the cost of the said meters and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Tax sales and deeds confirmed.

7. All sales of land within the municipal corporation of the town of Sandwich made subsequent to the 31st day of December, 1911, and prior to the 1st day of January, 1927, purporting to be made for arrears of taxes in respect to the land so sold are hereby ratified and confirmed and all con-

veyances of land so sold executed by the mayor and treasurer of the said town purporting to convey the said land so sold to the purchaser thereof or his assigns or to the town of Sandwich shall have the effect of vesting the land so sold in the purchaser, or his assigns, or his or their heirs or assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple, and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and of all charges and encumbrances thereon, except taxes accruing after those for non-payment of which the said lands were sold.

Power to charge certain lands with whole cost of proposed sewer.

8. The council of the corporation of the township of Sandwich West may pass a by-law under the provisions of *The Local Improvement Act* to construct a branch of the Felix Avenue sewer on York Street, Superior Street, Glenwood Avenue, Iroquois Street and the Huron Church line road from the intersection of the centre line of Dominion Avenue with York Street to the Felix Avenue sewer at the intersection of Dorchester Street and Huron Church line road of which the estimated cost is $89,253.72 and may by said by-law provide that the whole cost of construction shall be charged and levied upon the lots abutting upon the work and the non-abutting lands in the area defined under the provisions of the said agreement, dated the 15th day of February, 1927, and set out in schedule "A" hereto, such cost to include the cost of all necessary connections and appliances and those parts of the work situate at street intersections.

Rev. Stat., c. 235.

Notice not required.

9. The said construction by-law authorized under section 8 hereof may be passed without notice and shall set out the districts or sections receiving benefit under section 33 of *The Local Improvement Act* according to the report of the engineer of the said township, dated the 18th day of January, 1928.

Rev. Stat., c. 235.

Power to issue debentures.

10. The council of the corporation of the township of Sandwich West may under the provisions of *The Local Improvement Act* from time to time, borrow on the credit of the corporation, at large, as the said work authorized by section 8 hereof proceeds, such sums of money as may be necessary to pay the cost of the said work and upon completion may pass a by-law to repay such advances and to defray the cost of the said work and may issue debentures for the sums so borrowed payable in equal annual instalments of principal and interest as nearly as may be over a period of thirty years and bearing such rate of interest as the said council may deem proper.

Commencement of Act.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

All those certain tracts of land containing about 350 acres being parts of farm lots 63 to 74 inclusive in the first and second concessions of the Township of Sandwich West and described as follows: Commencing in the westerly limit of the Huron Church Line Road at the westerly production of the northerly limit of Manitoba Street; thence northerly along said westerly limit of the Huron Church Line Road to a point, said point being the westerly production of the notherly limit of the old Tecumseh Road before being widened to its present width of 86 feet; thence easterly along said northerly limit of the old Tecumseh Road to the westerly limit of farm lot 70; thence southerly along the said westerly limit of farm lot 70 to the northerly limit of Superior Street; thence easterly along the northerly limit of Superior Street and the northerly limit of York Street to the northerly production of the easterly limit of Dominion Avenue; thence southerly to and along the easterly limit of Dominion Avenue to the northerly limit of lot number 321, registered plan 557; thence easterly along said northerly limit to the alley in rear of said lot; thence easterly to the easterly limit of said alley; thence southerly along the easterly limit of said alley to the northerly limit of lot 283, registered plan 557; thence easterly along the northerly limit of said lot to the westerly limit of Victoria Avenue; thence in a straight line at right angles with the northeasterly limit of Cameron Boulevard to the southwesterly limit of the Michigan Central Railway lands; thence southeasterly along the northeasterly limit of Cameron Boulevard to a point in the easterly production of the southerly limit of Arthur Street; thence westerly in that limit and its production to a point one hundred and eight feet (108′) westerly of the westerly limit of McKay Avenue; thence northerly parallel with McKay Avenue to the northerly limit of Quebec Street; thence westerly to and along the northerly limit of Quebec Street (proposed) to the westerly limit of farm lot 70; thence southerly along said westerly limit to the northerly limit of Manitoba Street; thence westerly along the northerly limit of Manitoba Street and its westerly production to the place of beginning.

SCHEDULE "B"

Agreement made the sixth day of December in the year of our Lord one thousand nine hundred and twenty-seven.

Between:

THE BOARD OF WATER COMMISSIONERS, of the Town of Sandwich, hereinafter called the party,

of the first part,

and

THE MUNICIPAL CORPORATION of the Town of Sandwich, hereinafter called the party,

of the second part.

Whereas the Board of Water Commissioners of the Town of Sandwich supplies to the water users of the town filtered water which is purchased by them from the City of Windsor at a rate per thousand gallons as measured by the meters installed for that purpose;

And whereas it is necessary in order to conserve the water used in the town and to prevent its improper use, to instal meters in the water system;

And whereas the cost of such installation will be the sum of Forty-five Thousand Dollars ($45,000.00) and the Board of Water Commissioners have requested the party of the Second Part to raise the said sum by debentures payable in equal annual instalments including principal and interest in one sum to be raised annually and the Corporation of the Town of Sandwich has agreed to comply with the request of the said Board and to raise the said sum by debentures subject to validation thereof by the Legislature of the Province of Ontario.

Now therefore the said Board of Water Commissioners covenants, promises and agrees with the Municipal Corporation of the Town of Sandwich as follows:

1. During the currency of the said debentures issued or to be issued in the sum of $45,000.00 by the Corporation of the Town of Sandwich under the authority of by-law number 1689 passed on the 21st day of November, 1927, for the purpose of paying the cost of installing water meters as set out in the preamble or of such other debentures as may be issued under any other by-law in lieu thereof, the Board of Water Commissioners will raise by special rate from the users of water in the Town of Sandwich or other persons chargeable with the same under the Statute in that behalf provided in addition to all other rates and charges made for water by the said Board of Water Commissioners a sum sufficient each year to pay the amount of the equal annual instalments necessary to retire the said debentures and the interest thereon as provided in the said by-law and will pay the same over to the Corporation of the Town of Sandwich without deduction, defalcation, set-off, or reduction by way of counter-claim or otherwise not later than the first day of December in each and every year.

2. The Corporation of the Town of Sandwich covenants that it will apply the said money so received to the liquidation of the said debentures and for no other purpose whatever.

In witness whereof the parties hereto have hereunto set their hands and seals.

Signed, sealed and delivered in the presence of:

(Sgd.) HENRY CARMICHAEL,
Chairman, Sandwich Water Board (Seal)

(Sgd.) E. R. NORTH,
Secretary, Water Board.

(Sgd.) ALEX MCKEE,
Mayor.

(Sgd.) E. R. NORTH, (Seal)
Clerk.

No. 12.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act to validate certain By-laws of the Town of Sandwich and for other purposes.

1st Reading,	1928.
2nd Reading,	1928.
3rd Reading,	1928.

(*Private Bill*)

MR. REID.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 12. 1928.

BILL

An Act to validate certain By-laws of the Town of Sandwich and for other Purposes.

Preamble.

WHEREAS the municipal corporation of the town of Sandwich has by its petition represented that one of the parts of the Herbert Street sewer authorized to be constructed, as a separate work under By-law number 1587 of the corporation of the town of Sandwich passed on or about the 21st day of March, 1927, has been constructed and the southerly branch authorized by By-law number 1645 of the said corporation passed on the 26th day of September, 1927, has also been constructed and that it is desirable that the debentures to be issued to pay for the said work shall be consolidated and further that the agreement between the corporation of the town of Sandwich and the Board of Water Commissioners for the town of Sandwich for the collection by the said board as part of the water rates of the amounts necessary to liquidate the debentures issued to pay for the cost of installing water meters in the water system of the town may be validated and confirmed; and that sales of land made by the treasurer for arrears of taxes may be confirmed; and whereas the said corporation has prayed that an Act may be passed for the said purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of Sandwich Act, 1928.*

By-law No. 1686, confirmed.

2.—(*1*) *Subject to subsection 5*, By-law number 1686 of the municipal corporation of the town of Sandwich passed on the 16th day of January, 1928, and all debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the municipal corporation of the town of Sandwich and the township of Sandwich West and the ratepayers thereof.

By-law No. 1687, confirmed.

(2) *Subject to subsection 5*, By-law number 1687 of the municipal corporation of the town of Sandwich passed on the 16th day of January, 1928, and all debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the municipal corporation of the town of Sandwich and the township of Sandwich West and the ratepayers thereof.

Collection of rates under By-law No. 1687.

(3) The rates required by the said By-laws numbers 1686 and 1687 to be levied and collected in any year upon the land in the township of Sandwich West shall be collected by the council of the said township in the same manner as if such rates had been lawfully imposed by the council of the said township and said township shall pay to the treasurer of the town of Sandwich on or before the 14th day of December in each year the sums set out in paragraph 5 of each of the said by-laws and same shall be made whether or not such rates have been collected from the persons liable to pay the same, but such payment by the corporation shall not relieve any land especially assessed from the special rate thereon but it shall remain liable for the special rate until it is paid.

By-law No. 1688, confirmed.

(4) *Subject to subsection 5*, By-law number 1688 of the municipal corporation of the town of Sandwich passed on the 16th day of January, 1928, and all debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the municipal corporation of the town of Sandwich and the township of Sandwich West and the ratepayers thereof.

Application to quash not affected.

(5) Subsection 1 shall not affect any application now pending or which may be made prior to the 16th day of April, 1928, to quash any of the said by-laws but any such application may be proceeded with and finally adjudicated upon in all respects as if this section had not been passed.

Agreement confirmed.

3. The agreement between the corporation of the town of Sandwich and the Board of Water Commissioners for the town of Sandwich, dated the 6th of December, 1927, providing for the collection by special rate from the users of water in the town of Sandwich of a sufficient sum each year to liquidate the debentures issued to pay for the installation of water meters within the town as set out in schedule "B" hereto is hereby confirmed and declared to be legal, valid and binding upon the said corporation and By-law number 1689 of the said town authorizing the issue of debentures to pay the cost of the said meters and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

4.—(1) All sales of land within the municipal corporation of the town of Sandwich made subsequent to the 31st day of December, 1911, and prior to the *31st day of December, 1925*, purporting to be made for arrears of taxes in respect to the land so sold are hereby ratified and confirmed and all conveyances of land so sold executed by the mayor and treasurer of the said town purporting to convey the said land so sold to the purchaser thereof or his assigns or to the town of Sandwich shall have the effect of vesting the land so sold in the purchaser, or his assigns, or his or their heirs or assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple, and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and of all charges and encumbrances thereon, except taxes accruing after those for non-payment of which the said lands were sold.

Tax sales and deeds confirmed.

(2) Nothing in subsection 1 contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

Pending litigation not affected.

5. The council of the corporation of the township of Sandwich West may pass a by-law under the provisions of *The Local Improvement Act* to construct a branch of the Felix Avenue sewer on York Street, Superior Street, Glenwood Avenue, Iroquois Street and the Huron Church line road from the intersection of the centre line of Dominion Avenue with York Street to the Felix Avenue sewer at the intersection of Dorchester Street and Huron Church line road of which the estimated cost is $89,253.72 and may by said by-law provide that the whole cost of construction shall be charged and levied upon the lots abutting upon the work and the non-abutting lands in the area defined under the provisions of the said agreement, dated the 15th day of February, 1927, and set out in schedule "A" hereto, such cost to include the cost of all necessary connections and appliances and those parts of the work situate at street intersections.

Power to charge certain lands with whole cost of proposed sewer.

Rev. Stat., c. 235.

6. The said construction by-law authorized under section 8 hereof may be passed without notice and shall set out the districts or sections receiving benefit under section 33 of *The Local Improvement Act* according to the report of the engineer of the said township, dated the 18th day of January, 1928.

Notice not required.

Rev. Stat., c. 235.

7. The council of the corporation of the township of Sandwich West may under the provisions of *The Local*

Power to issue debentures.

Improvement Act from time to time, borrow on the credit of the corporation, at large, as the said work authorized by section 8 hereof proceeds, such sums of money as may be necessary to pay the cost of the said work and upon completion may pass a by-law to repay such advances and to defray the cost of the said work and may issue debentures for the sums so borrowed payable in equal annual instalments of principal and interest as nearly as may be over a period of thirty years and bearing such rate of interest as the said council may deem proper.

Commencement of Act.

8. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

All those certain tracts of land containing about 350 acres being parts of farm lots 63 to 74 inclusive in the first and second concessions of the Township of Sandwich West and described as follows: Commencing in the westerly limit of the Huron Church Line Road at the westerly production of the northerly limit of Manitoba Street; thence northerly along said westerly limit of the Huron Church Line Road to a point, said point being the westerly production of the notherly limit of the old Tecumseh Road before being widened to its present width of 86 feet; thence easterly along said northerly limit of the old Tecumseh Road to the westerly limit of farm lot 70; thence southerly along the said westerly limit of farm lot 70 to the northerly limit of Superior Street; thence easterly along the northerly limit of Superior Street and the northerly limit of York Street to the northerly production of the easterly limit of Dominion Avenue; thence southerly to and along the easterly limit of Dominion Avenue to the northerly limit of lot number 321, registered plan 557; thence easterly along said northerly limit to the alley in rear of said lot; thence easterly to the easterly limit of said alley; thence southerly along the easterly limit of said alley to the northerly limit of lot 283, registered plan 557; thence easterly along the northerly limit of said lot to the westerly limit of Victoria Avenue; thence in a straight line at right angles with the northeasterly limit of Cameron Boulevard to the southwesterly limit of the Michigan Central Railway lands; thence southeasterly along the northeasterly limit of Cameron Boulevard to a point in the easterly production of the southerly limit of Arthur Street; thence westerly in that limit and its production to a point one hundred and eight feet (108′) westerly of the westerly limit of McKay Avenue; thence northerly parallel with McKay Avenue to the northerly limit of Quebec Street; thence westerly to and along the northerly limit of Quebec Street (proposed) to the westerly limit of farm lot 70; thence southerly along said westerly limit to the northerly limit of Manitoba Street; thence westerly along the northerly limit of Manitoba Street and its westerly production to the place of beginning.

SCHEDULE "B"

Agreement made the sixth day of December in the year of our Lord one thousand nine hundred and twenty-seven.

Between:

THE BOARD OF WATER COMMISSIONERS, of the Town of Sandwich, hereinafter called the party,

of the first part,

and

THE MUNICIPAL CORPORATION of the Town of Sandwich, hereinafter called the party,

of the second part.

Whereas the Board of Water Commissioners of the Town of Sandwich supplies to the water users of the town filtered water which is purchased by them from the City of Windsor at a rate per thousand gallons as measured by the meters installed for that purpose;

And whereas it is necessary in order to conserve the water used in the town and to prevent its improper use, to instal meters in the water system;

And whereas the cost of such installation will be the sum of Forty-five Thousand Dollars ($45,000.00) and the Board of Water Commissioners have requested the party of the Second Part to raise the said sum by debentures payable in equal annual instalments including principal and interest in one sum to be raised annually and the Corporation of the Town of Sandwich has agreed to comply with the request of the said Board and to raise the said sum by debentures subject to validation thereof by the Legislature of the Province of Ontario.

Now therefore the said Board of Water Commissioners covenants, promises and agrees with the Municipal Corporation of the Town of Sandwich as follows·

1. During the currency of the said debentures issued or to be issued in the sum of $45,000.00 by the Corporation of the Town of Sandwich under the authority of by-law number 1689 passed on the 21st day of November, 1927, for the purpose of paying the cost of installing water meters as set out in the preamble or of such other debentures as may be issued under any other by-law in lieu thereof, the Board of Water Commissioners will raise by special rate from the users of water in the Town of Sandwich or other persons chargeable with the same under the Statute in that behalf provided in addition to all other rates and charges made for water by the said Board of Water Commissioners a sum sufficient each year to pay the amount of the equal annual instalments necessary to retire the said debentures and the interest thereon as provided in the said by-law and will pay the same over to the Corporation of the Town of Sandwich without deduction, defalcation, set-off, or reduction by way of counter-claim or otherwise not later than the first day of December in each and every year.

2. The Corporation of the Town of Sandwich covenants that it will apply the said money so received to the liquidation of the said debentures and for no other purpose whatever.

In witness whereof the parties hereto have hereunto set their hands and seals.

Signed, sealed and delivered in the presence of:

(Sgd.) HENRY CARMICHAEL,
Chairman, Sandwich Water Board (Seal)

(Sgd.) E. R. NORTH,
Secretary, Water Board.

(Sgd.) ALEX MCKEE,
Mayor.

(Sgd.) E. R. NORTH, (Seal)
Clerk.

Ontario.
18 George V, 1928.

BILL.

An Act to validate certain By-laws of the Town of Sandwich and for other purposes.

1st Reading,

February 14th, 1928.

2nd Reading

3rd Reading

MR. REID.

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 13. 1928.

BILL

An Act respecting the Town of Walkerville.

Preamble. WHEREAS the corporation of the town of Walkerville has by petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1.** This Act may be cited as *The Town of Walkerville Act, 1928.*

Term of office of councillors. **2.** The three councillors obtaining the largest number of votes at the election to be held in the month of December, 1928, shall hold office for the term of two years, and the remaining three councillors shall hold office for the term of one year, commencing on the 1st day of January, 1929. All elections for councillors subsequent to the said election shall be for three councillors only, to hold office for two years, commencing on the first day of the calendar year following the election.

Vacancy in council and appointment of successor. **3.** Where a vacancy in the council occurs from and after the 1st day of January, 1929, from any cause, the council shall immediately appoint a successor who shall hold office during the remainder of the term for which his predecessor was elected.

Power to fix date and hour of first meeting. **4.** The council may by by-law provide that the first meeting of the council shall be held on the first Monday in January, except where that day is a holiday, and in that case, on the following Tuesday at an hour to be fixed in the by-law.

Commencement of Act. **5.** This Act shall come into force on the day upon which it receives the Royal Assent.

No. 13.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting the Town of Walkerville.

1st	Reading,	1928.
2nd	Reading,	1928.
3rd	Reading,	1928.

(*Private Bill.*)

MR. WILSON,
(Windsor.)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 14. 1928.

BILL

An Act to consolidate the Floating Debt of the City of St. Thomas.

Preamble.

WHEREAS the municipal corporation of the city of St. Thomas has by its petition represented that the said corporation has incurred a floating debt, amounting to $79,174 for payment of which no fund has been provided; and whereas the said corporation has represented that to liquidate the said debt forthwith, in addition to meeting its current annual expenditures would be unduly burdensome to the ratepayers of the city; and whereas the said city of St. Thomas has by its petition prayed that it may be authorized to borrow money by the issue of debentures, payable in annual instalments to discharge the said debt; and whereas the said corporation has by its petition prayed that an Act may be passed for such purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of St. Thomas Act, 1928.*

Floating debt consolidated at $79,174.

2. The floating debt of the corporation of the city of St. Thomas is consolidated at the sum of $79,174 and the said corporation may borrow by a special issue of debentures a sum not exceeding $79,174 for the purpose of paying the said floating debt.

Term of debentures and interest.

3. The said debentures shall be made payable in not more than fifteen years from the date of issue thereof, and shall bear interest at a rate not exceeding five per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Equal annual instalments of principal and interest.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to

what is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Special rate.

5. The said corporation shall levy and collect in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application of proceeds of debentures.

6. The said debentures and all moneys arising from the sale thereof shall be applied in payment of the said indebtedness and for no other purpose.

Assent of electors not required.

7. It shall not be necessary to obtain the assent of the electors of the city of St. Thomas to the passing of any by-law which shall be passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat. c. 233.

Irregularity in form not to invalidate.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to keep proper books of account.

9. It shall be the duty of the treasurer, for the time being, of the said city, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sale or negotiations of the said debentures, and the application which shall, from time to time, be made of the said amounts; and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said city, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Commencement of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

No. 14.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting the City of St. Thomas.

1st	Reading,	1928.
2nd	Reading,	1928.
3rd	Reading,	1928.

(*Private Bill.*)

MR. MACDIARMID.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty

No. 15. 1928.

BILL

An Act respecting The Kitchener-Waterloo Young Men's Christian Association.

Preamble.

WHEREAS The Kitchener-Waterloo Young Men's Christian Association has by petition represented that said association was incorporated in the year 1920 without share capital under *The Ontario Companies Act*, chapter 178 of the Revised Statutes of Ontario, 1914, and that the association has been conducted and its operations carried on under a constitution and by-laws of the association adopted June 24th, 1920; and whereas the said association has by its petition prayed that an Act may be passed extending its powers as hereinafter set out; and whereas it is expedient to grant the prayer of said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Kitchener-Waterloo Y.M.C.A. Act, 1928.*

Incorporation, confirmed.

2. The incorporation of the said association is confirmed and the association is declared to be a body corporate and politic, without share capital, under the name of "The Kitchener-Waterloo Young Men's Christian Association" and designated throughout the remainder of this Act as "the association."

Objects of Association.

3. The objects of the association shall be the spiritual, mental, social and physical improvement of young men and boys by the maintenance and support of meetings, lectures, reading and recreation rooms, libraries, gymnasia, athletic grounds, summer camps, aquatic facilities, dormitories, lunch rooms and such other means as may from time to time be determined upon and to establish, maintain and operate branch associations in the city of Kitchener, in the town of Waterloo and the vicinity of said city and town; and also to co-operate with the Young Women's Christian Association of Kitchener in such manner as may from time to time be

determined upon for the spiritual, intellectual, social and physical development of young women and girls.

Constitution and By-laws.

4. The constitution and by-laws of the association adopted on the 24th of June, 1920, are hereby declared to have been the constitution and governing by-laws of the association and save as the same may be added to, amended or repealed and others substituted therefor, the said constitution and by-laws are hereby declared to be the constitution and governing by-laws of the association.

Amendment of Constitution and By-laws.

5. Notwithstanding anything to the contrary in the said constitution and governing by-laws or either of them contained, it is hereby declared that the association has the power to alter or amend by a vote of two-thirds of the members present at any regularly constituted meeting of the members of the association any part of the constitution, which alteration or amendment shall have first been approved by the board of directors and conspicuously posted in the main building of the association for at least one month previous to the association meeting and the governing by-laws may be amended at any regular meeting of the board of directors by two-thirds of the members present, provided notice of such amendment shall have been given in writing at a previous regular meeting.

Officers and members.

6. The officers and members of the board of directors of the association at the time of the passing of this Act shall be the officers and members of the board of directors of the said association and shall retain their respective offices until others shall be elected in their places under the constitution and by-laws of the association.

Number of directors.

7. The association may by by-law increase or decrease the number of directors and provide as to qualification, mode of election and the time for which the directors shall hold office.

No financial gain to members.

8. The said association shall be carried on without the purpose of gain for its members and any profits or other accretions to the association shall be used in promoting its objects.

Vesting of property.

9. All property, real and personal, belonging to or held in trust for the association shall be held, used, administered or alienated subject to the provisions of this Act in accordance with the constitution and by-laws of the association as the same may be added to or repealed according to the provisions of the said constitution and by-laws.

10. The said association may acquire and hold in the city of Kitchener, in the town of Waterloo and the vicinity of either said city or town, any real property or any estate or interest therein either by purchase, lease, gift, devise or bequest, either absolutely or in trust and to sell, transfer, exchange, mortgage, hypothecate, lease or otherwise alienate or dispose of the same or any part thereof and apply the proceeds of any such property for its purposes. Provided that no land at any time acquired by the association and not required for its actual use and occupation or by way of security for the payment of any loan, debt or guarantee, shall be held by it or by any trustee on its behalf for a longer period than seven years after it shall cease to be so required, but this proviso shall not be deemed in any wise to vary or otherwise affect any trust relating to such property. Power to acquire and dispose of real estate.

11. The buildings, lands, equipment and undertaking of the association in the city of Kitchener, so long as the same are occupied by and used for the purposes of the association, shall be and the same are hereby declared to be exempt from taxation for the year 1928 and thereafter except for local improvements and garbage taxes. Exemption from taxation.

12. The said association may borrow money for its purposes upon its credit and may mortgage, hypothecate, or pledge any of its property, real or personal, as security for any loan. Borrowing.

13. The association may establish an endowment fund or funds for the purpose of promoting and extending its aims and objects and in furtherance of such purpose to obtain, set aside and hold subscriptions, donations, gifts and bequests under such regulations and conditions in respect thereto as may from time to time be decided upon by the board of directors. Endowment Fund.

14. The said association may lend money upon the security of real estate and may invest and re-invest any of its funds and moneys in any debentures of municipal or public school districts or corporations, Dominion or provincial debentures, bonds, stocks, or in Dominion or provincial securities, or in any security the payment of which is guaranteed by the Dominion of Canada or any Province thereof, and for all purposes of any loan or investment it shall have all such rights and remedies for collection, enforcement or repayment thereof as any individual or corporation would have by law in the premises. Loaning.

15. The said association may establish a system of technical education, including such branches of science and develop- Technical education.

ment of such of the industrial or other lines of education as the board of directors of the association may from time to time determine.

Commencement of Act.

16. This Act shall come into force on the day upon which it receives the Royal Assent.

No. 15.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting The Kitchener-Waterloo Young Men's Christian Association.

1st	Reading,	1928.
2nd	Reading,	1928.
3rd	Reading,	1928.

(*Private Bill.*)

MR. WEICHEL.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 15. 1928.

BILL

An Act respecting The Kitchener-Waterloo Young Men's Christian Association.

Preamble.

WHEREAS The Kitchener-Waterloo Young Men's Christian Association has by petition represented that said association was incorporated in the year 1920 without share capital under *The Ontario Companies Act*, chapter 178 of the Revised Statutes of Ontario, 1914, and that the association has been conducted and its operations carried on under a constitution and by-laws of the association adopted June 24th, 1920; and whereas the said association has by its petition prayed that an Act may be passed extending its powers as hereinafter set out; and whereas it is expedient to grant the prayer of said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Kitchener-Waterloo Y.M.C.A. Act, 1928*.

Incorporation, confirmed.

2. The incorporation of the said association is confirmed and the association is declared to be a body corporate and politic, without share capital, under the name of "The Kitchener-Waterloo Young Men's Christian Association" and designated throughout the remainder of this Act as "the association."

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3. The objects of the association shall be the spiritual, mental, social and physical improvement of young men and boys by the maintenance and support of meetings, lectures, reading and recreation rooms, libraries, gymnasia, athletic grounds, summer camps, aquatic facilities, dormitories, lunch rooms and such other means as may from time to time be determined upon and to establish, maintain and operate branch associations in the city of Kitchener, in the town of Waterloo and the vicinity of said city and town; and also to co-operate with the Young Women's Christian Association of Kitchener in such manner as may from time to time be

determined upon for the spiritual, intellectual, social and physical development of young women and girls.

Constitution and By-laws.

4. The constitution and by-laws of the association adopted on the 24th of June, 1920, are hereby declared to have been the constitution and governing by-laws of the association and save as the same may be added to, amended or repealed and others substituted therefor, the said constitution and by-laws are hereby declared to be the constitution and governing by-laws of the association.

Amendment of Constitution and By-laws.

5. Notwithstanding anything to the contrary in the said constitution and governing by-laws or either of them contained, it is hereby declared that the association has the power to alter or amend by a vote of two-thirds of the members present at any regularly constituted meeting of the members of the association any part of the constitution, which alteration or amendment shall have first been approved by the board of directors and conspicuously posted in the main building of the association for at least one month previous to the association meeting and the governing by-laws may be amended at any regular meeting of the board of directors by two-thirds of the members present, provided notice of such amendment shall have been given in writing at a previous regular meeting.

Officers and members.

6. The officers and members of the board of directors of the association at the time of the passing of this Act shall be the officers and members of the board of directors of the said association and shall retain their respective offices until others shall be elected in their places under the constitution and by-laws of the association.

Number of directors.

7. The association may by by-law increase or decrease the number of directors and provide as to qualification, mode of election and the time for which the directors shall hold office.

No financial gain to members.

8. The said association shall be carried on without the purpose of gain for its members and any profits or other accretions to the association shall be used in promoting its objects.

Vesting of property.

9. All property, real and personal, belonging to or held in trust for the association shall be held, used, administered or alienated subject to the provisions of this Act in accordance with the constitution and by-laws of the association as the same may be added to or repealed according to the provisions of the said constitution and by-laws.

10. The said association may acquire and hold in the city of Kitchener, in the town of Waterloo and the vicinity of either said city or town, any real property or any estate or interest therein either by purchase, lease, gift, devise or bequest, either absolutely or in trust and to sell, transfer, exchange, mortgage, hypothecate, lease or otherwise alienate or dispose of the same or any part thereof and apply the proceeds of any such property for its purposes. Provided that no land at any time acquired by the association and not required for its actual use and occupation or by way of security for the payment of any loan, debt or guarantee, shall be held by it or by any trustee on its behalf for a longer period than seven years after it shall cease to be so required, but this proviso shall not be deemed in any wise to vary or otherwise affect any trust relating to such property. Power to acquire and dispose of real estate.

11.—(1) The buildings, lands, equipment and undertaking of the association in the city of Kitchener, so long as the same are occupied by and used for the purposes of the association, shall be and the same are hereby declared to be exempt from taxation for the year 1928 and thereafter except for local improvements and garbage taxes. Exemption from taxation.

(2) The Act passed in 1924 and chaptered 146 is repealed in so far as it applies to the Kitchener-Waterloo Young Men's Christian Association.

12. The said association may borrow money for its purposes upon its credit and may mortgage, hypothecate, or pledge any of its property, real or personal, as security for any loan. Borrowing.

13. The association may establish an endowment fund or funds for the purpose of promoting and extending its aims and objects and in furtherance of such purpose to obtain, set aside and hold subscriptions, donations, gifts and bequests under such regulations and conditions in respect thereto as may from time to time be decided upon by the board of directors. Endowment Fund.

14. The said association may lend money upon the security of real estate and may invest and re-invest any of its funds and moneys in any debentures of municipal or public school districts or corporations, Dominion or provincial debentures, bonds, stocks, or in Dominion or provincial securities, or in any security the payment of which is guaranteed by the Dominion of Canada or any Province thereof, and for all purposes of any loan or investment it shall have all such rights and remedies for collection, enforcement or repayment Loaning.

thereof as any individual or corporation would have by law in the premises.

Technical education.

15. The said association may establish a system of technical education, including such branches of science and development of such of the industrial or other lines of education as the board of directors of the association may from time to time determine.

Commencement of Act.

16. This Act shall come into force on the day upon which it receives the Royal Assent.

No. 15.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting The Kitchener-Waterloo Young Men's Christian Association.

1st	Reading, 14th February,	1928.
2nd	Reading,	1928.
3rd	Reading,	1928.

(*Reprinted as amended by the Private Bills Committee.*)

MR. WEICHEL.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 16. 1928.

BILL

An Act respecting the City of Ottawa.

Preamble. WHEREAS the corporation of the city of Ottawa has, by its petition, prayed that it should be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1**. This Act may be cited as *The City of Ottawa Act, 1928*.

Power to issue 30-year-debentures for water-mains and services. **2**. The council of the said corporation may provide by by-law for an issue of debentures not exceeding $40,000 payable within thirty years from their date, for the purpose of defraying the cost of constructing and extending water-mains and water services.

Mode of payment of debentures, provision for special levy. **3**. For the payment of the debt and interest represented by the debentures to be issued under the authority of section 2 of this Act, there shall be raised annually by the corporation during their currency, with the authority conferred in, and by, an Act passed in the thirty-fifth year of the reign of Her late Majesty Queen Victoria, chaptered 80, and intituled *An Act for the Construction of Waterworks for the City of Ottawa*, from the water rates, a sum sufficient to discharge the said debt and interest, when and as the same shall respectively become due, such sum to be in addition to the money required to be raised to meet the charges of maintenance and cost of renewals in connection with the said waterworks, and for the payment of the principal and interest of all debts heretofore contracted for the purposes of the said waterworks, but if at any time, the moneys accruing from the said water rates shall prove insufficient for the purpose aforesaid, then, when and so often as the said deficiency shall occur, there shall be raised, levied and collected, by the said corporation, by a special rate upon the assessable property of the said

corporation, according to the then last revised assessment roll thereof, a sum sufficient to make good such deficiency.

Power to issue 20-year debentures for certain purposes.

4. The council of the said corporation may provide by by-law for an issue, or issues, of debentures payable within twenty years from their date and not exceeding the following amounts, for the purposes specified:

Completion of building on By Ward Market.

(*a*) $60,000 for the completion of the new building on By Ward Market and for the reconstruction of the adjacent sidewalks and pavements;

Stables for municipal garbage collection system.

(*b*) $20,000 to provide for the cost of erecting and equipping stables for the municipal garbage collection system;

Loss in sale of certain debentures.

(*c*) $9,000 to cover the loss by discount on the sale of debentures during 1927;

Corporation's share of cost of a certain sewer.

(*d*) $6,000 to provide the corporation's share of the cost of a sewer to drain the Chateau Laurier.

Power to issue 10-year debentures for certain purposes.

5. The council of the said corporation may provide by by-law for an issue, or issues, of debentures payable within ten years from their date, and not exceeding the following amounts, for the purposes specified:

Repaving By Ward Market Square.

(*a*) $10,000 for repaving the By Ward Market Square;

Widening certain pavements.

(*b*) $20,000 to defray the cost of widening the pavements and re-locating the sidewalks and other corporation works on Albert Street between Canal Street and Kent Street, and on Metcalfe Street between Slater and Albert Streets;

Apparatus for fire department.

(*c*) $35,000 to provide for the purchase of motor-driven apparatus for the fire department;

Traffic control equipment.

(*d*) $10,000 to provide for the purchase and installation of traffic control equipment.

Assent of electors not required.

6.—(1) It shall not be necessary for the said corporation to obtain the assent of the electors of the said city qualified to vote on money by-laws, to the passing of any of the money by-laws authorized by sections 2, 4 and 5 of this Act, or to observe in respect thereto the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Rev. Stat., c. 233.

Rate of interest and manner of payment.

(2) Debentures issued under the provisions of any of the said by-laws shall bear interest at such rate as the council of

the said corporation shall, in such by-law determine, and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act*.

Irregularity in form not to invalidate.

(3) No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action brought against the corporation of the city of Ottawa for the recovery of the amount thereof, or any part thereof, or the interest thereon.

Corporation may consolidate borrowings.

7. The council of the said corporation instead of borrowing, by separate money by-laws, the sums authorized by sections 4 and 5 of this Act, may consolidate any two or more of such borrowings of like maturity and issue one series of debentures therefor; provided that each such consolidating by-law shall show by recitals or otherwise, the separate sums which make up the total borrowing, and the purposes for which such sums are to be expended.

1917, c. 79, s. 1, cl. (*e*), repealed.

8. Clause (*e*) of section 1 of an Act passed in 1917, chaptered 79, intituled *An Act respecting the City of Ottawa*, is repealed.

Grant of $5,000 to Women's Memorial Building.

9. The council of the said corporation may make a grant of $5,000 to a fund for the erection of a Women's Memorial Building on a site in the city of Ottawa to be furnished by the Government of Canada.

By-law No. 6383, confirmed.

10. By-law number 6383 of the said corporation, a true copy of which is set out in schedule "A" to this Act is validated and confirmed, and all debentures issued or to be issued thereunder, and all assessments made or to be made for the payment thereof are ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Power to fix fees for certain purposes.

Rev. Stat., c. 233.

11. Notwithstanding the provisions of subsection 10 of section 400 and of subsection 8 of section 401 of *The Municipal Act*, the council of the said corporation may, by by-law, to be passed with the approval of the Ontario Railway and Municipal Board, impose, levy and collect fees for weighing coal, coke, stone, lime and other commodities, but not including hay or grain, in excess of the fees prescribed by subsection 8 of section 401 of the said Act, and may from time to time with the like approval amend or repeal any such by-law.

Tax sales and deeds, confirmed.

12. All sales of land, within the municipality of the city of Ottawa, made by the treasurer thereof, in the year 1926, purporting to be made for arrears of taxes due in respect of the lands so sold, are validated and confirmed, and all con-

veyances of land so sold executed by the mayor, treasurer and clerk of the said city, purporting to convey the said lands to the purchaser thereof, or his assigns, or to the corporation of the said city, shall have the effect of vesting the lands so sold in the purchaser thereof, his heirs and assigns, or in the corporation of the said city, its successors and assigns, as the case may be, in fee simple, and clear of, and free from, all right, title, interest and claim whatsoever of the former owners thereof and their assigns and of all mortgages, charges, liens and encumbrances thereon, except taxes accruing after those for non-payment of which the said lands were sold, provided that nothing in this section contained shall affect or prejudice the right or rights of any person under any litigation pending on the date upon which this Act receives the Royal Assent.

Federal District Commission to have authority over building plans on certain streets.

13. The council of the said corporation may provide by by-law that the plans and specifications of all buildings hereafter proposed to be erected or altered upon land abutting upon Elgin Street between Wellington Street and Lisgar Street shall be submitted to and approved of by the Federal District Commission, constituted as provided by *The Federal District Commission Act, 1927* (Canada), and that the granting or refusing of authority to erect or alter such building shall be in its discretion, and that its action shall not be open to question or review by any court.

Commencement of Act.

14. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

BY-LAW NUMBER 6383

A By-law of the Corporation of the City of Ottawa to provide for borrowing $10,377.84 upon debentures to pay for the construction of certain local improvement works.

Whereas, pursuant to construction By-law Number 6164 passed on the 5th day of July, 1926, certain sanitary sewers together with Sewage Pumping Plant have been constructed on the streets and between the points as shown in columns numbers 4, 5 and 6 of Schedule "A" hereto, as a local improvement, under the provisions of Section 10 of the Local Improvement Act.

And whereas the Provincial Board of Health has approved of the construction of the said works and such approval has been certified under the hands of the Chairman and of the Secretary of the said Board.

And whereas the total cost of such works, the property-owners' portion thereof and the Corporation's portion thereof, are shown in columns numbered 7, 8 and 9 respectively of the said Schedule;

And whereas the estimated lifetime of the said works is more than 20 years, as shown in column number 10 of the said schedule;

And whereas it is necessary to borrow on the credit of the Corporation the sum of $10,377.84 being the total cost of the said works, as shown in column number 7 of the said schedule, and to issue debentures therefor, payable within 20 years from the issue thereof, as shown in column number 11 of the said Schedule, and bearing interest at the rate of 4½ per centum per annum, which is the amount of the debt intended to be created by this by-law;

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of 20 years from the date of the issue of the said debentures of such amounts respectively, that the aggregate amount payable for principal and interest in any year shall be equal, as nearly as may be, to the amount payable for the principal and interest in each of the other years;

And whereas it will be necessary to raise annually the sum of $797.81 as shown in column number 14 of the said Schedule, during the said period of 20 years for the payment of the said yearly sums of principal and interest as they shall become due, of which amount the sum of $581.18 shall be raised annually for the payment of the property-owners' portion of the said debt and interest thereon, as shown in column number 12 of the said Schedule, and the sum of $216.63 shall be raised annually for the payment of the Corporation's portion of the said debt and interest thereon, as shown in column number 13 of the said Schedule;

And whereas the amount of the whole rateable property of the Municipality, according to the last revised assessment roll is $144,594,797.00;

And whereas the amount of the existing debenture debt of the Corporation, exclusive of local improvement debts secured by special rates or assessments, is $18,326,537.41, and no part of the principal or interest thereof is in arrear;

Therefore, the Municipal Council of the Corporation of the City of Ottawa enacts as follows:—

1. For the purposes aforesaid there shall be borrowed on the credit of the Corporation at large the sum of $10,377.84 and debentures shall be issued therefor in sums of not less than $50.00 Canadian currency each, and all such debentures may be made payable, both as to principal and interest, at such chartered banks or banking houses in Canada or in the United States of America as may be designated on the said debentures,

in gold coin of, or equivalent to, the standard of weight and fineness fixed for gold coin at this date by the laws of the United States of America.

2. The said debentures shall all bear interest at the rate of 4½ per centum per annum, and have coupons attached thereto for the payment of the interest semi-annually, upon the first day of the months of January and July in each year, which coupons shall be signed by the Treasurer of the Corporation, whose signature may be written, stamped, lithographed or engraved thereon.

3. The debentures shall all bear the same date and shall be issued within two years after the date upon which this by-law is passed and may bear any date within such two years, and shall be payable within 20 years from the date of the said debentures with interest at the rate of 4½ per centum per annum, as shown by the following schedule, and the respective amounts of principal and interest payable in each year of such years shall be as follows:—

SCHEDULE

Year	Amount of Interest Payable	Amount of Principal Payable	Annual Payment
1	$467 00	$330 81	$797 81
2	452 12	345 69	797 81
3	436 56	361 25	797 81
4	420 30	377 51	797 81
5	403 32	394 49	797 81
6	385 57	412 24	797 81
7	367 02	430 79	797 81
8	347 63	450 18	797 81
9	327 37	470 44	797 81
10	306 20	491 61	797 81
11	284 08	513 73	797 81
12	260 96	536 85	797 81
13	236 80	561 01	797 81
14	211 56	586 25	797 81
15	185 18	612 63	797 81
16	157 61	640 20	797 81
17	128 80	669 01	797 81
18	98 69	699 12	797 81
19	67 23	730 58	797 81
20	34 36	763 45	797 81
Total	$5,578 36	$10,377 84	$15,956 20

4. Each of the said debentures shall be signed by the Mayor of the Corporation or by some other person authorized by by-law to sign the same, and also by the Treasurer thereof and shall be sealed with the Seal of the Corporation.

5. During 20 years, the currency of the debentures, there shall be raised annually for the payment of the property-owners' portion of the said debt and interest thereon the sum of $581.18, as shown in column number 12 of the said schedule, and for the payment of the Corporation's portion of the cost and the interest thereon there shall be raised annually the sum of $216.63, as shown in column number 13 of the said schedule, making in all $797.81, as shown in column number 14 of the said schedule, to be raised annually for the payment of the said debt and interest.

6. For the payment of the property-owners' portion of the cost of the said works and the interest thereon, the special assessment set forth in the assessment roll prepared for the said works is hereby imposed upon the lands liable therefor, as therein set forth, which said special assessment, with a sum sufficient to cover interest thereon at the rate aforesaid, shall be payable in equal annual instalments during the currency of the debentures, and for that purpose the respective special annual rates per foot frontage, as shown in column number 16 of the said schedule, are imposed upon each lot entered in the said special assessment roll for the said works, according to the assessed frontage thereof, over and above all

other rates and taxes, which special rates shall be collected annually by the Collector of Taxes for the Corporation, at the same time and in the same manner as other rates during the currency of the said debentures.

7. For the payment of the Corporation's portion of the cost of the said works and the interest thereon, there shall be levied and raised annually a special rate sufficient therefor over and above all other rates, on all the rateable property in the Municipality at the same time and in the same manner as other rates.

8. The debentures may contain any clause providing for the registration thereof, authorized by any statute relating to Municipal debentures in force at the time of the issue thereof.

9. The amount of the loan authorized by this by-law may be consolidated with the amounts of any loans authorized by other local improvement by-laws, by including the same with such other loans in a consolidating by-law authorizing the borrowing of the aggregate thereof as one loan, and the issue of debentures for such loan in one consecutive issue pursuant to the provisions of the statute in that behalf.

10. Pending the sale of the debentures, or in lieu of selling the same, the Council may by resolution authorize the Mayor of the said Corporation and the Treasurer thereof to raise money by way of loan on the security of such debentures or upon the security of some part of them, and to hypothecate any or all of the said debentures as security for the repayment of the said loan.

11. This By-law shall take effect on the day of the final passing thereof.

Given under the Corporate Seal of the City of Ottawa, this 16th day of January, A.D. 1928.

(Sgd.) NORMAN H. H. LETT,
City Clerk.

(Sgd.) ARTHUR ELLIS,
Mayor.

Schedule "A" to By-law No. 6383.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
No. of Report	How work undertaken	No. of construction By-law	Street	From	To	Total cost	Property Owners' portion of total cost	Corporation's portion of total cost	Estimated lifetime of work in years	Currency of debentures in years	Total amount to be raised annually for payment of owners' portion	Total amount to be raised annually for payment of Corporation's portion	Total amount to be raised annually for payment of debt	Frontage of assessed properties Ft. In.	Annual rate per foot frontage
						$	$	$			$	$	$		c.
242-C Sec. 10	6164		(Harvard Ave. Raleigh St. ...	S. limit lot 20 Harvard Ave.	Warrington Dr. Warrington Dr.	10,377 84	7,559 96	2,817 88	Over 20	20	581 18	216 63	797 81	1893–9	30 .689
			Warrington Dr Harvard Ave.	Harvard Ave.	E. of lot 33....										
			Warrington Dr Harvard Ave.	Harvard Ave.	W. of lot 90....										
			Warrington Dr Raleigh St....	Raleigh St....	S. of lot 90....										
			Warrington Dr Raleigh St....	Raleigh St....	W. of lot 74....										
			Lot 26, Harvard Avenue East sewage pumping plant.		together with										

No. 16.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting the City of Ottawa.

1st Reading,	1928.
2nd Reading,	1928.
3rd Reading,	1928.

(*Private Bill.*)

MR. HONEYWELL.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 16. 1928.

BILL

An Act respecting the City of Ottawa.

Preamble.

WHEREAS the corporation of the city of Ottawa has, by its petition, prayed that it should be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of Ottawa Act, 1928*.

Power to issue 30-year-debentures for water-mains and services.

2. The council of the said corporation may provide by by-law for an issue of debentures not exceeding $40,000 payable within thirty years from their date, for the purpose of defraying the cost of constructing and extending water-mains and water services.

Mode of payment of debentures, provision for special levy.

3. For the payment of the debt and interest represented by the debentures to be issued under the authority of section 2 of this Act, there shall be raised annually by the corporation during their currency, with the authority conferred in, and by, an Act passed in the thirty-fifth year of the reign of Her late Majesty Queen Victoria, chaptered 80, and intituled *An Act for the Construction of Waterworks for the City of Ottawa*, from the water rates, a sum sufficient to discharge the said debt and interest, when and as the same shall respectively become due, such sum to be in addition to the money required to be raised to meet the charges of maintenance and cost of renewals in connection with the said waterworks, and for the payment of the principal and interest of all debts heretofore contracted for the purposes of the said waterworks, but if at any time, the moneys accruing from the said water rates shall prove insufficient for the purpose aforesaid, then, when and so often as the said deficiency shall occur, there shall be raised, levied and collected, by the said corporation, by a special rate upon the assessable property of the said

corporation, according to the then last revised assessment roll thereof, a sum sufficient to make good such deficiency.

Power to issue 20-year debentures for certain purposes.

4. The council of the said corporation may provide by by-law for an issue, or issues, of debentures payable within twenty years from their date and not exceeding the following amounts, for the purposes specified:

Completion of building on By Ward Market.

(*a*) $60,000 for the completion of the new building on By Ward Market and for the reconstruction of the adjacent sidewalks and pavements;

Stables for municipal garbage collection system.

(*b*) $20,000 to provide for the cost of erecting and equipping stables for the municipal garbage collection system;

Loss in sale of certain debentures.

(*c*) $9,000 to cover the loss by discount on the sale of debentures during 1927;

Corporation's share of cost of a certain sewer.

(*d*) $6,000 to provide the corporation's share of the cost of a sewer to drain the Chateau Laurier.

Power to issue 10-year debentures for certain purposes.

5. The council of the said corporation may provide by by-law for an issue, or issues, of debentures payable within ten years from their date, and not exceeding the following amounts, for the purposes specified:

Repaving By Ward Market Square.

(*a*) $10,000 for repaving the By Ward Market Square;

Widening certain pavements.

(*b*) $20,000 to defray the cost of widening the pavements and re-locating the sidewalks and other corporation works on Albert Street between Canal Street and Kent Street, and on Metcalfe Street between Slater and Albert Streets;

Apparatus for fire department.

(*c*) $35,000 to provide for the purchase of motor-driven apparatus for the fire department;

Traffic control equipment.

(*d*) $10,000 to provide for the purchase and installation of traffic control equipment.

Assent of electors not required.

6.—(1) It shall not be necessary for the said corporation to obtain the assent of the electors of the said city qualified to vote on money by-laws, to the passing of any of the money by-laws authorized by sections 2, 4 and 5 of this Act, or to observe in respect thereto the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Rev. Stat., c. 233.

Rate of interest and manner of payment.

(2) Debentures issued under the provisions of any of the said by-laws shall bear interest at such rate as the council of

the said corporation shall, in such by-law determine, and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act*.

Irregularity in form not to invalidate.

(3) No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action brought against the corporation of the city of Ottawa for the recovery of the amount thereof, or any part thereof, or the interest thereon.

Corporation may consolidate borrowings.

7. The council of the said corporation instead of borrowing, by separate money by-laws, the sums authorized by sections 4 and 5 of this Act, may consolidate any two or more of such borrowings of like maturity and issue one series of debentures therefor; provided that each such consolidating by-law shall show by recitals or otherwise, the separate sums which make up the total borrowing, and the purposes for which such sums are to be expended.

1917, c. 79, s. 1, cl. (e), repealed.

8. Clause (*e*) of section 1 of an Act passed in 1917, chaptered 79, intituled *An Act respecting the City of Ottawa*, is repealed.

Grant of $5,000 to Women's Memorial Building.

9. The council of the said corporation may make a grant of $5,000 to a fund for the erection of a Women's Memorial Building on a site in the city of Ottawa to be furnished by the Government of Canada.

By-law No. 6383, confirmed.

10. By-law number 6383 of the said corporation, a true copy of which is set out in schedule "A" to this Act is validated and confirmed, and all debentures issued or to be issued thereunder, and all assessments made or to be made for the payment thereof are ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Tax sales and deeds, confirmed.

11. All sales of land, within the municipality of the city of Ottawa, made by the treasurer thereof, in the year 1926, purporting to be made for arrears of taxes due in respect of the lands so sold, are validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said city, purporting to convey the said lands to the purchaser thereof, or his assigns, or to the corporation of the said city, shall have the effect of vesting the lands so sold in the purchaser thereof, his heirs and assigns, or in the corporation of the said city, its successors and assigns, as the case may be, in fee simple, and clear of, and free from, all right, title, interest and claim whatsoever of the former owners thereof and their assigns and of all mortgages, charges, liens and encumbrances thereon, except taxes accruing after

those for non-payment of which the said lands were sold, provided that nothing in this section contained shall affect or prejudice the right or rights of any person under any litigation *which has been commenced prior to* the date upon which this *section comes into force.*

Federal District Commission to have authority over building plans on certain streets.

12. The council of the said corporation may provide by by-law that the plans and specifications of all buildings hereafter proposed to be erected or altered upon land abutting upon Elgin Street between Wellington Street and *Laurier Avenue* shall be submitted to and approved of by the Federal District Commission, constituted as provided by *The Federal District Commission Act, 1927* (Canada), and *in case such by-law is passed* the granting or refusing of authority to erect or alter such building shall *so long as such by-law remains in force*, be in its discretion, and its action shall not be open to question or review by any court.

Application of proceeds of certain debentures.

☞**13.** The council of the said corporation may on or after January 1st, 1929, provide by by-law, to be passed without obtaining the assent thereto of the electors qualified to vote on money by-laws, that the money raised under the authority of Debenture By-law number 3900 authorizing a borrowing of $50,000 for the construction of an incinerator, and that the unexpended balance of the monies at the credit of Debenture By-laws numbers 4012 and 4198, authorizing certain borrowings for the purpose of completing the construction of the new bridge over the Rideau River at Bank Street, may be applied and expended in paying outstanding debentures of the corporation raised for general purposes.☜

Commencement of Act.

14. *The provisions of* this Act *other than section 11* shall come into force on the day upon which it receives the Royal Assent. Section 11 shall come into force on July 1st, 1928.

SCHEDULE "A"

BY-LAW NUMBER 6383

A By-law of the Corporation of the City of Ottawa to provide for borrowing $10,377.84 upon debentures to pay for the construction of certain local improvement works.

Whereas, pursuant to construction By-law Number 6164 passed on the 5th day of July, 1926, certain sanitary sewers together with Sewage Pumping Plant have been constructed on the streets and between the points as shown in columns numbers 4, 5 and 6 of Schedule "A" hereto, as a local improvement, under the provisions of Section 10 of the Local Improvement Act.

And whereas the Provincial Board of Health has approved of the construction of the said works and such approval has been certified under the hands of the Chairman and of the Secretary of the said Board.

And whereas the total cost of such works, the property-owners' portion thereof and the Corporation's portion thereof, are shown in columns numbered 7, 8 and 9 respectively of the said Schedule;

And whereas the estimated lifetime of the said works is more than 20 years, as shown in column number 10 of the said schedule;

And whereas it is necessary to borrow on the credit of the Corporation the sum of $10,377.84 being the total cost of the said works, as shown in column number 7 of the said schedule, and to issue debentures therefor, payable within 20 years from the issue thereof, as shown in column number 11 of the said Schedule, and bearing interest at the rate of 4½ per centum per annum, which is the amount of the debt intended to be created by this by-law;

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of 20 years from the date of the issue of the said debentures of such amounts respectively, that the aggregate amount payable for principal and interest in any year shall be equal, as nearly as may be, to the amount payable for the principal and interest in each of the other years;

And whereas it will be necessary to raise annually the sum of $797.81 as shown in column number 14 of the said Schedule, during the said period of 20 years for the payment of the said yearly sums of principal and interest as they shall become due, of which amount the sum of $581.18 shall be raised annually for the payment of the property-owners' portion of the said debt and interest thereon, as shown in column number 12 of the said Schedule, and the sum of $216.63 shall be raised annually for the payment of the Corporation's portion of the said debt and interest thereon, as shown in column number 13 of the said Schedule;

And whereas the amount of the whole rateable property of the Municipality, according to the last revised assessment roll is $144,594,797.00;

And whereas the amount of the existing debenture debt of the Corporation, exclusive of local improvement debts secured by special rates or assessments, is $18,326,537.41, and no part of the principal or interest thereof is in arrear;

Therefore, the Municipal Council of the Corporation of the City of Ottawa enacts as follows:—

1. For the purposes aforesaid there shall be borrowed on the credit of the Corporation at large the sum of $10,377.84 and debentures shall be issued therefor in sums of not less than $50.00 Canadian currency each, and all such debentures may be made payable, both as to principal and interest, at such chartered banks or banking houses in Canada or in the United States of America as may be designated on the said debentures,

in gold coin of, or equivalent to, the standard of weight and fineness fixed for gold coin at this date by the laws of the United States of America.

2. The said debentures shall all bear interest at the rate of 4½ per centum per annum, and have coupons attached thereto for the payment of the interest semi-annually, upon the first day of the months of January and July in each year, which coupons shall be signed by the Treasurer of the Corporation, whose signature may be written, stamped, lithographed or engraved thereon.

3. The debentures shall all bear the same date and shall be issued within two years after the date upon which this by-law is passed and may bear any date within such two years, and shall be payable within 20 years from the date of the said debentures with interest at the rate of 4½ per centum per annum, as shown by the following schedule, and the respective amounts of principal and interest payable in each year of such years shall be as follows:—

SCHEDULE

Year	Amount of Interest Payable	Amount of Principal Payable	Annual Payment
1	$467 00	$330 81	$797 81
2	452 12	345 69	797 81
3	436 56	361 25	797 81
4	420 30	377 51	797 81
5	403 32	394 49	797 81
6	385 57	412 24	797 81
7	367 02	430 79	797 81
8	347 63	450 18	797 81
9	327 37	470 44	797 81
10	306 20	491 61	797 81
11	284 08	513 73	797 81
12	260 96	536 85	797 81
13	236 80	561 01	797 81
14	211 56	586 25	797 81
15	185 18	612 63	797 81
16	157 61	640 20	797 81
17	128 80	669 01	797 81
18	98 69	699 12	797 81
19	67 23	730 58	797 81
20	34 36	763 45	797 81
Total	$5,578 36	$10,377 84	$15,956 20

4. Each of the said debentures shall be signed by the Mayor of the Corporation or by some other person authorized by by-law to sign the same, and also by the Treasurer thereof and shall be sealed with the Seal of the Corporation.

5. During 20 years, the currency of the debentures, there shall be raised annually for the payment of the property-owners' portion of the said debt and interest thereon the sum of $581.18, as shown in column number 12 of the said schedule, and for the payment of the Corporation's portion of the cost and the interest thereon there shall be raised annually the sum of $216.63, as shown in column number 13 of the said schedule, making in all $797.81, as shown in column number 14 of the said schedule, to be raised annually for the payment of the said debt and interest.

6. For the payment of the property-owners' portion of the cost of the said works and the interest thereon, the special assessment set forth in the assessment roll prepared for the said works is hereby imposed upon the lands liable therefor, as therein set forth, which said special assessment, with a sum sufficient to cover interest thereon at the rate aforesaid, shall be payable in equal annual instalments during the currency of the debentures, and for that purpose the respective special annual rates per foot frontage, as shown in column number 16 of the said schedule, are imposed upon each lot entered in the said special assessment roll for the said works, according to the assessed frontage thereof, over and above all

other rates and taxes, which special rates shall be collected annually by the Collector of Taxes for the Corporation, at the same time and in the same manner as other rates during the currency of the said debentures.

7. For the payment of the Corporation's portion of the cost of the said works and the interest thereon, there shall be levied and raised annually a special rate sufficient therefor over and above all other rates, on all the rateable property in the Municipality at the same time and in the same manner as other rates.

8. The debentures may contain any clause providing for the registration thereof, authorized by any statute relating to Municipal debentures in force at the time of the issue thereof.

9. The amount of the loan authorized by this by-law may be consolidated with the amounts of any loans authorized by other local improvement by-laws, by including the same with such other loans in a consolidating by-law authorizing the borrowing of the aggregate thereof as one loan, and the issue of debentures for such loan in one consecutive issue pursuant to the provisions of the statute in that behalf.

10. Pending the sale of the debentures, or in lieu of selling the same, the Council may by resolution authorize the Mayor of the said Corporation and the Treasurer thereof to raise money by way of loan on the security of such debentures or upon the security of some part of them, and to hypothecate any or all of the said debentures as security for the repayment of the said loan.

11. This By-law shall take effect on the day of the final passing thereof.

Given under the Corporate Seal of the City of Ottawa, this 16th day of January, A.D. 1928.

(Sgd.) NORMAN H. H. LETT,
City Clerk.

(Sgd.) ARTHUR ELLIS,
Mayor.

Schedule "A" to By-law No. 6383.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
No. of Report	How work undertaken	No. of construction By-law	Street	From	To	Total cost	Property Owners' portion of total cost	Corporation's portion of total cost	Estimated lifetime of work in years	Currency of debentures in years	Total amount to be raised annually for payment of owners' portion	Total amount to be raised annually for payment of Corporation's portion	Total amount to be raised annually for payment of debt	Frontage of assessed properties Ft. In.	Annual rate per foot frontage
						$ c.	$ c.	$ c.			$ c.	$ c.	$ c.		c.
242-C	Sec. 10	6164	Harvard Ave.	S. limit lot 20	Warrington Dr.	10,377 84	7,559 96	2,817 88	Over 20	20	581 18	216 63	797 81	1893–9	30. 689
			Raleigh St.	Harvard Ave.	Warrington Dr.										
			Warrington Dr	Harvard Ave.	E. of lot 33										
			Warrington Dr	Harvard Ave.	W. of lot 90										
			Warrington Dr	Raleigh St.	S. of lot 90										
			Warrington Dr	Raleigh St.	W. of lot 74										
			Lot 26, Harvard Avenue East sewage pumping plant.		together with										

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act respecting the City of Ottawa.

1st Reading,

February 20th, 1928.

2nd Reading

3rd Reading

MR. HONEYWELL.

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 17. 1928.

BILL

An Act respecting the Town of Sudbury.

Preamble.

WHEREAS the municipal corporation of the town of Sudbury has, by its petition represented that it is desirable that certain by-laws, specified in schedule "A" hereto, and the debentures issued and to be issued thereunder, should be validated and confirmed; and whereas the said corporation has by its petition prayed that an Act may be passed for the above purpose; and whereas no opposition has been offered to the said petition; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of Sudbury Act, 1928*.

Certain by-laws confirmed.

2. The by-laws specified in schedule "A" hereto and all debentures issued or to be issued thereunder are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE A

No. By-law	Date of Passing By-law	Nature of Work under By-law	Amount Debt Created	Amount Payable By Town	Amount Payable by Rate-payers	Period of Payment	Rate of Interest
1026	Dec. 5th, 1927	A By-law to provide for borrowing $22,500.00 upon debentures for the purpose of paying for the construction of a reinforced concrete bridge over Junction Creek on Cedar Street, in the Town of Sudbury	$22,500 00	$22,500 00	.....	20 years	5%
1027	Dec. 5th, 1927	A By-law to provide for borrowing $35,000.00 upon debentures for the purpose of paying for the construction of extensions to the electric light system of the Town of Sudbury	35,000 00	35,000 00	.....	10 years	5%
1030	Dec. 29th, 1927	A By-law to provide for borrowing $11,400.00 upon debentures to pay for the construction of the concrete walks and concrete paving as therein set forth	11,400 00	1,167 18	$10,232 82	10 years	5%
1031	Dec. 29th, 1927	A By-law to provide for borrowing $8,750.00 upon debentures to pay for the construction of the sanitary sewers as therein set forth	8,750 00	1,362 39	7,387 61	20 years	5%
1032	Dec. 29th, 1927	A By-law to provide for borrowing $1,810.00 upon debentures to pay for the construction of the water-works extensions as therein set forth	1,810 00	295 46	1,514 54	5 years	5%
1033	Dec. 29th, 1927	A By-law to provide for borrowing $18,600.00 upon debentures to pay for the construction of the water-works extensions as therein set forth	18,600 00	11,536 57	7,063 43	20 years	5%
1034	Dec. 29th, 1927	A By-law to provide for borrowing $7,050.00 upon debentures to pay for the construction of the tar macadam pavement as therein set forth	7,050 00	2,938 06	4,111 94	15 years	5%

No. 17.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting the Town of Sudbury.

1st Reading,	1928.
2nd Reading,	1928.
3rd Reading,	1928.

(*Private Bill.*)

MR. ROBB.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 18. 1928.

BILL

An Act respecting the Beechwood Cemetery Company of Ottawa.

Preamble.

WHEREAS the Beechwood Cemetery Company of the city of Ottawa was incorporated by an Act passed in the thirty-sixth year of the reign of Her late Majesty Queen Victoria, chaptered 149 for the purpose of establishing a cemetery with the powers therein conferred upon the said company; and whereas the said Act was amended by an Act passed in the fifty-seventh year of the reign of Her late Majesty, chaptered 95; and whereas the said Act was amended by an Act passed in the fourth year of the reign of His Majesty King George V, chaptered 127; and whereas the said Act was amended by an Act passed in the eleventh year of the reign of His Majesty King George V, chaptered 136; and whereas the said company has by its petition prayed that the said Act of incorporation as amended by the said subsequent Acts may be amended as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Beechwood Cemetery Act, 1928*.

1873, c. 149, amended.

2. The Act passed in 1873, chaptered 149, intituled *An Act to incorporate The Beechwood Cemetery Company of the City of Ottawa* is amended by adding thereto the following section:

Authorization by shareholders.

15.—(1) If authorized by by-law, sanctioned by at least two-thirds of the votes cast at a special general meeting of the shareholders duly called for considering the by-law, the directors may from time to time,—

Power to borrow upon bonds, debentures, etc.

(*a*) Borrow money upon the credit of the company not exceeding in all the sum of $50,000 for

the purpose of making permanent improvements to the cemetery and for this purpose to issue bonds, debentures, debenture stock or other securities of the company and pledge or sell the same for such sums and at such prices as may be deemed expedient;

Power to borrow upon mortgages, etc.

(*b*) Hypothecate, mortgage or pledge such of the real and personal property of the company as may remain unsold or undisposed of when the said bonds, debentures or debenture stock become payable to secure any such bonds, debentures, debenture stock or other securities.

Restriction as to use by mortgagee.

(2) Nothing herein contained shall authorize any mortgagee or bond or debenture holder or trustee therefor or any pledgee or anyone claiming under them to use or deal with the cemetery in a manner inconsistent with the continued use of it as a cemetery or inconsistent with any provision of *The Cemetery Act* or amendments thereto.

Rev. Stat., c. 317.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

No. 18.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting the Beechwood Cemetery Company of Ottawa.

1st Reading,	1928.
2nd Reading,	1928.
3rd Reading,	1928.

(*Private Bill.*)

MR. HONEYWELL.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 19. 1928.

BILL

An Act respecting the Ontario and Minnesota Power Company, Limited.

Preamble.

WHEREAS by an Act passed in 1912, chaptered 152, intituled *An Act respecting the Ontario and Minnesota Power Company, Limited*, certain powers of expropriation with respect to the lands set forth and described in section 1 of the said Act were conferred upon the Ontario and Minnesora Power Company, Limited; and whereas the Ontario and Minnesota Power Company, Limited, and the municipal corporation of the town of Fort Frances have by their petition represented that the said company did not exercise the said powers within the time limited by the said Act for the exercise thereof, and that the revival of the said powers with respect to certain of the said lands, is necessary and expedient in the interests of the said municipal corporation, and have, by their petition prayed that it be enacted as hereinafter provided; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Ontario and Minnesota Power Company, Limited Act, 1928.*

1912, c. 152, revived in part.

2. The statute of Ontario, being 2 George V, chapter 152 (1912), is hereby revived and re-enacted in so far as it applies to lot "D" and lot "36" as shown on the original plan of the town plot of Alberton, in the town of Fort Frances, and not otherwise.

Power to expropriate certain lands.

3. The company shall have the right, and it is hereby empowered to enter upon, take and expropriate without the consent of the owners thereof, for the purposes of the construction and operation of the company's industries at the town of Fort Frances, the said lot "D" and lot "36."

Procedure.

Rev. Stat., c. 224.

4. The powers of expropriation hereby conferred upon the company shall be exercised in accordance with the procedure for expropriation set forth in *The Railway Act* save and except that the district judge of the district of Rainy River shall be the sole arbitrator as to the price to be paid for the lands to be expropriated hereunder, and the same shall be fixed by him as the fair market value thereof. In case the company does not within six months after the passing of this Act proceed to expropriate the said lands and serve notice of expropriation as hereinbefore provided, then the right and power of expropriation hereby given shall at once cease and be determined.

Repeal.

5. In so far as the provisions of section 4 of the said Act are inconsistent with this Act, they are hereby repealed.

Commencement of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

No. 19.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting the Ontario and Minnesota Power Company, Limited.

1st Reading,	1928.
2nd Reading,	1928.
3rd Reading,	1928.

(*Private Bill.*)

MR. MATHIEU.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 19. 1928.

BILL

An Act respecting the Ontario and Minnesota Power Company, Limited.

Preamble.

WHEREAS by an Act passed in 1912, chaptered 152, intituled *An Act respecting the Ontario and Minnesota Power Company, Limited*, certain powers of expropriation with respect to the lands set forth and described in section 1 of the said Act were conferred upon the Ontario and Minnesora Power Company, Limited; and whereas the Ontario and Minnesota Power Company, Limited, and the municipal corporation of the town of Fort Frances have by their petition represented that the said company did not exercise the said powers within the time limited by the said Act for the exercise thereof, and that *it* is necessary and expedient in the interests of the said municipal corporation that the said company should have the power to expropriate two lots forming part of the said land and have, by their petition prayed that it be enacted as hereinafter provided; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Ontario and Minnesota Power Company, Limited Act, 1928*.

Power to expropriate certain lands.

2. The company shall have the right, and it is hereby empowered to enter upon, take and expropriate without the consent of the owners thereof, for the purposes of the construction and operation of the company's industries at the town of Fort Frances, lot "D" and lot "36" as shown on the original plan of the town plot of Alberton in the said town of Fort Frances.

Procedure.

Rev. Stat., c. 224.

3.—(1) The powers of expropriation hereby conferred upon the company shall be exercised in accordance with the procedure for expropriation set forth in *The Railway Act* save and except that the district judge of the district of Rainy River shall be the sole arbitrator as to the price to be paid for the

lands to be expropriated hereunder, and the same shall be fixed by him as the fair market value thereof.

(2) There shall be the same right of appeal from the award of the judge as there is from the award of arbitrators under the provisions of *The Railway Act*.

4. In case the company does not within six months after the passing of this Act proceed to expropriate the said lands and serve notice of expropriation as hereinbefore provided, then the right and power of expropriation hereby given shall at once cease and be determined.

Commencement of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

2nd Session, 17th Legislature.
Ontario.
18 George V, 1928.

BILL.

An Act respecting the Ontario and Minnesota Power Company, Limited.

1st Reading,

February 29th, 1928.

2nd Reading

3rd Reading

MR. MATHIEU.

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 20. 1928.

BILL

An Act respecting the Church of the Holy Trinity, Toronto.

Preamble.

WHEREAS the Rector and Churchwardens of the church of the Holy Trinity have by their petition represented that on the thirty-first day of March in the year one thousand eight hundred and eighty-one, the Bishop of the Diocese of Toronto executed a Declaration of Trust concerning certain property held by him and his successors in the See for the benefit of the church of the Holy Trinity in the city of Toronto declaring that the income thereof should be applied towards the support of the incumbent of the said church; and that the said property was acquired out of moneys given for the purpose of building the said church and that no provision was made for maintaining the fabric of the said church in repair; and that valuable lands forming part of the said property are at present unproductive with consequent loss of income to the said church; and that during the years 1924, 1925, 1926 and 1927 the municipal taxes in respect of the said lands were allowed to fall into arrear and the income from the said endowment was used for the current expenses of the said church; and that the said Declaration of Trust was not made in pursuance of any condition or agreement annexed to the donation of the said moneys; and that by an Act passed in the second session of the Legislature of Ontario in the sixty-second year of the reign of Her Late Majesty Queen Victoria and chaptered 112, the said Declaration of Trust was varied by providing that one-tenth of the income of the said endowment should be paid to the churchwardens of the said church to be applied by them as therein provided towards the maintenance of the fabric of the said church; and that by an Act passed in 1915, chaptered 93, it was provided that four-fifths of the said income should be applied for payment of stipends and that one-fifth of the said income should be paid to the said churchwardens to be applied by them towards the maintenance of the fabric of the said church; and that since the passing of the last-mentioned Act by order of the Supreme Court of Ontario bearing date the 20th day of December, 1927, The Incorporated Synod of the Diocese of Toronto has been appointed trustee of the said endowment in place of the Bishop of the Diocese of Toronto

and the said synod was authorized to mortgage the said lands for an amount not exceeding $50,000 for the purpose of raising money to pay off arrears of taxes and for repairing the said church; and that the net income from the said lands has ceased and the income from the balance of the said endowment is inadequate for the necessities of the said church; and whereas the rector and churchwardens of the said church have by their petition prayed that the trusts aforesaid may be further varied as hereinafter provided; and whereas the petitioners have represented that the said Bishop and the said synod have concurred in the said petition and no opposition has been offered thereto; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Disposition of income of Endowment of the Church of the Holy Trinity.

1. The income of the endowment of the said church of the Holy Trinity, Toronto, after payment of all expenses incurred in the management of the said endowment, shall be held by The Incorporated Synod of the Diocese of Toronto and the trustee for the time being of the said endowment upon trust to be paid to the churchwardens for the time being of the said church to be applied by them, first, on the payment of stipends to the rector and others serving the said church and after that for such purposes in connection with the said church and the lands and securities forming part of the endowment thereof as the vestry of the said church may from time to time approve.

Power to borrow upon security of lands.

2. The said synod and the trustee for the time being of the said endowment shall have power from time to time to borrow on the security of the lands forming part of the said endowment in addition to the amount authorized by the said order of the Supreme Court of Ontario amounts not exceeding in all $50,000 upon such terms and conditions as the churchwardens for the time being of the said church may deem advisable.

Provision for payment of expenses and debts.

3. So much of the capital of the said endowment, including any moneys borrowed under the authority of section 2 of this Act and including any accumulations of income, as in its discretion the said synod may deem advisable may be paid to the churchwardens for the time being of the said church for payment of such expenses and debts in connection with the said church and the endowment thereof as the vestry of the said church may from time to time approve.

Restoration to capital of amounts borrowed therefrom.

4. Notwithstanding the provisions of section 1 of this Act, the said synod or the trustee for the time being of the said

endowment may from time to time in its discretion withhold and add to capital such portions of the income from the said endowment as in its opinion may not be required for current expenses in connection with the said church and the endowment thereof, until all moneys at any time borrowed on the security of the lands forming part of the said endowment or paid out of capital have been repaid or restored to capital.

Ratification of certain payments.

5. The payments of income by the trustee of the said endowment for the purposes set out in the said Act of 1915 made during the years 1924, 1925, 1926 and 1927, and the appointment of the said synod as trustee of the said endowment and the discharge of the said Bishop from the trusts thereof are hereby ratified and confirmed.

Ontario.
18 George V, 1928.

BILL.

An Act respecting the Church of the Holy Trinity, Toronto.

1st Reading

2nd Reading

3rd Reading

MR. THOMPSON (St. Davids)

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 20. 1928.

BILL

An Act respecting the Church of the Holy Trinity, Toronto.

Preamble.

WHEREAS the Rector and Churchwardens of the church of the Holy Trinity have by their petition represented that on the thirty-first day of March in the year one thousand eight hundred and eighty-one, the Bishop of the Diocese of Toronto executed a Declaration of Trust concerning certain property held by him and his successors in the See for the benefit of the church of the Holy Trinity in the city of Toronto declaring that the income thereof should be applied towards the support of the incumbent of the said church; and that the said property was acquired out of moneys given for the purpose of building the said church and that no provision was made for maintaining the fabric of the said church in repair; and that valuable lands forming part of the said property are at present unproductive with consequent loss of income to the said church; and that during the years 1924, 1925, 1926 and 1927 the municipal taxes in respect of the said lands were allowed to fall into arrear and the income from the said endowment was used for the current expenses of the said church; and that the said Declaration of Trust was not made in pursuance of any condition or agreement annexed to the donation of the said moneys; and that by an Act passed in the second session of the Legislature of Ontario in the sixty-second year of the reign of Her Late Majesty Queen Victoria and chaptered 112, the said Declaration of Trust was varied by providing that one-tenth of the income of the said endowment should be paid to the churchwardens of the said church to be applied by them as therein provided towards the maintenance of the fabric of the said church; and that by an Act passed in 1915, chaptered 93, it was provided that four-fifths of the said income should be applied for payment of stipends and that one-fifth of the said income should be paid to the said churchwardens to be applied by them towards the maintenance of the fabric of the said church; and that since the passing of the last-mentioned Act by order of the Supreme Court of Ontario bearing date the 20th day of December, 1927, The Incorporated Synod of the Diocese of Toronto has been appointed trustee of the said endowment in place of the Bishop of the Diocese of Toronto

and the said synod was authorized to mortgage the said lands for an amount not exceeding $50,000 for the purpose of raising money to pay off arrears of taxes and for repairing the said church; and that the net income from the said lands has ceased and the income from the balance of the said endowment is inadequate for the necessities of the said church; and whereas the rector and churchwardens of the said church have by their petition prayed that the trusts aforesaid may be further varied as hereinafter provided; and whereas the petitioners have represented that the said Bishop and the said synod have concurred in the said petition and no opposition has been offered thereto; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Disposition of income of Endowment of the Church of the Holy Trinity.

1. The income of the endowment of the said church of the Holy Trinity, Toronto, after payment of all expenses incurred in the management of the said endowment, shall be held by The Incorporated Synod of the Diocese of Toronto and the trustee for the time being of the said endowment upon trust to be paid to the churchwardens for the time being of the said church to be applied by them, first, on the payment of stipends to the rector and others serving the said church and after that for such purposes in connection with the said church and the lands and securities forming part of the endowment thereof as the vestry of the said church may from time to time approve.

Power to borrow upon security of lands.

2. The said synod and the trustee for the time being of the said endowment shall have power from time to time to borrow on the security of the lands forming part of the said endowment in addition to the amount authorized by the said order of the Supreme Court of Ontario amounts not exceeding in all $50,000 upon such terms and conditions as the churchwardens for the time being of the said church may deem advisable.

Provision for payment of expenses and debts.

3. So much of the capital of the said endowment, including any moneys borrowed under the authority of section 2 of this Act and including any accumulations of income, as in its discretion the said synod may deem advisable may be paid to the churchwardens for the time being of the said church for payment of such expenses and debts in connection with the said church and the endowment thereof as the vestry of the said church may from time to time approve.

Restoration to capital of amounts borrowed therefrom.

4. Notwithstanding the provisions of section 1 of this Act, the said synod or the trustee for the time being of the said

endowment may from time to time in its discretion withhold and add to capital such portions of the income from the said endowment as in its opinion may not be required for current expenses in connection with the said church and the endowment thereof, until all moneys at any time borrowed on the security of the lands forming part of the said endowment or paid out of capital have been repaid or restored to capital.

Ratification of certain payments.

5. The payments of income by the trustee of the said endowment for the purposes set out in the said Act of 1915 made during the years 1924, 1925, 1926 and 1927, and the appointment of the said synod as trustee of the said endowment and the discharge of the said Bishop from the trusts thereof are hereby ratified and confirmed.

Commencement of Act.

☞**6**. This Act shall come into force on the day upon which it receives the Royal Assent.☜

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act respecting the Church of the Holy Trinity, Toronto.

1st Reading

February 14th, 1928.

2nd Reading

3rd Reading

MR. THOMPSON (St. Davids)

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 21. 1928.

BILL

An Act to stop up and close certain unopened road allowances in the Township of Bertie, County of Welland.

Preamble.

WHEREAS the registered owners of certain unopened road allowances in the township of Bertie, in the county of Welland, have by their petition represented that the south boundary of the township of Bertie, in the county of Welland, fronts on the north side of Lake Erie, and the lots number from east to west; that the original Crown Survey of that portion of the township began at township lot No. 24, broken front concession, and extended west to the west boundary of the township; that the plans of the original survey have never been found and the first settlers opened all the north and south roads on the west side of the odd numbered lots, being a continuation of the lots in the other concessions lying immediately to the north in Bertie township; that the local surveyors operating in the township followed the method adopted by the earlier settlers, and located all road allowances on the west side of the odd numbered lots, and made and registered all subdivision plans accordingly, so that to-day all the broken front west of township lot No. 26 to township lot No. 32 is subdivided with road allowances located west of the odd numbered township lots, and all improvements have been made accordingly; that a municipal survey was made by Messrs. Rutherford & Smith and dated at St. Catharines on the 14th day of May, 1926, which survey was subsequently confirmed by the Honourable the Minister of Lands and Forests on the 6th day of April, 1927, and which survey and confirmation placed the road allowances in the original survey on the west side of the even numbered lots; and whereas the adjoining property owners by their own efforts, and at their own expense, opened up this portion of the township by the construction of Erie Road through a vast swamp as a local improvement; and whereas access to Lake Erie can be obtained between township lots Nos. 26 and 27, 31 and 32, only one hundred chains separating the two roads; and whereas the adjoining property owners have always paid taxes to the township on that portion

of the lands now declared to be original road allowances, and have expended in buildings and improvements upwards of one hundred thousand dollars; and whereas no public demand exists for the opening of these roads as is evidenced by the fact that the council of the township has taken no steps to open them; and whereas no injustice to anyone will be done by stopping up and closing said roads; and whereas the said petitioners have prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Bertie Road Allowance Act, 1928.*

Closing of road allowance.

2. The unopened road allowances between township lots Nos. 28 and 29, 30 and 31 in the township of Bertie, as established by a municipal survey made by Messrs. Rutherford & Smith, and dated the 14th day of May, 1926, from the south limit of Erie Road to the south limit of the township of Bertie, be and the same are hereby stopped and closed.

Vesting of portion of unopened road allowance.

3. The fee to that portion of the said unopened road allowances between township lots Nos. 30 and 31 from the south limit of Erie Road to the south limit of the township, is hereby vested in Charles Duffy and E. Granger Wilson, and Elizabeth P. King, as is particularly described in their respective registered conveyances.

Idem.

4. That portion of the said unopened road allowances between township lots Nos. 28 and 29 from the south limit of Erie Road to the south boundary of the township of Bertie is vested in Carl H. Vogt, Dayton G. Vogt and Jennie L. Vogt, in the terms of their registered conveyances.

Ontario.
18 George V. 1928.

BILL.

An Act to stop up and close certain unopened road allowances in the Township of Bertie, County of Welland.

1st Reading

2nd Reading

3rd Reading

MR. WILLSON (Niagara Falls).

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 22. 1928.

BILL

An Act respecting Trinity College, Toronto.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Trinity College Act, 1928*. Short title.

2. Section 2 of an Act passed by the Legislature of the Province of Canada in the fifteenth year of the reign of Her late Majesty Queen Victoria, chaptered 32 and intituled *An Act to Incorporate Trinity College*, is hereby amended by striking out the words "Provided that the total yearly revenue from the property so acquired shall not at any time exceed the sum of Five Thousand Pounds currency," in the seventeenth and eighteenth lines, and by striking out all the words of the said section after the words "body corporate" in the twenty-first line and by adding thereto the following: 1851, c. 32, s. 2, amended.

> "And subject to the limitations imposed by any specific trust as to the same, the corporation may invest all such money as shall come to its hands, and is not required to be expended for any purpose to which it lawfully may be applied, in such manner as to the corporation may seem meet; and the said corporation shall also have power to borrow such sums upon mortgage of any of its property as it may from time to time deem necessary."

Ontario.
18 George V, 1928.

BILL.

An Act respecting Trinity College, Toronto.

1st Reading

2nd Reading

3rd Reading

MR. SCHOLFIELD.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 23. 1928.

BILL

An Act respecting Sacred Heart College of Sudbury.

Preamble.

WHEREAS "Sacred Heart College of Sudbury" was incorporated by an Act of the Legislative Assembly of the Province of Ontario, passed in the fourth year of the reign of His Majesty King George the Fifth, chaptered 131, and whereas "Sacred Heart College of Sudbury" has by its petition prayed that the said Act may be amended as herein set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1914, c. 131, s. 12, amended.

Increase of power to hold lands and personal property.

1. Section 12 of the said Act of incorporation passed in the fourth year of the reign of His Majesty King George the Fifth, chapter 131, is amended by striking out the words "fifty thousand dollars" in the fourth line of the said section of the said Act and inserting in lieu thereof the words "five hundred thousand dollars."

No. 23.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting the Sacred Heart College of Sudbury.

1st	Reading,	1928.
2nd	Reading,	1928.
3rd	Reading,	1928.

(*Private Bill.*)

MR. LEGAULT.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 24. 1928.

BILL

An Act respecting the Congregation of the Presbyterian Church of Canada in Rutherford.

Preamble.

WHEREAS the congregation of the Presbyterian Church of Canada (Continuing Presbyterians) in Rutherford have by their petition represented that through inadvertence or wilful default on the part of the session, a vote was not taken in the congregation of the Presbyterian Church of Canada in Rutherford pursuant to *The United Church of Canada Act* being chapter 125 of the Statutes of 1925, although the same was duly requested as provided by the said Act; and whereas the said petitioners have prayed that an Act be passed providing for a vote being taken in the manner hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Rutherford Presbyterian Church Act, 1928*.

Vote on question of entering Union.

1925, c. 125.

2.—(1) Notwithstanding anything contained in *The United Church of Canada Act* and amendments thereto a vote shall be taken by the congregation of the Presbyterian Church of Canada in Rutherford as constituted on the 19th day of July, 1924, on the question of entering the Union of the Presbyterian, Methodist and Congregational Churches in Canada, upon a list of persons entitled to vote to be settled by a Judge of the Supreme Court of Ontario or of a county court in accordance with the provisions of clause *c* of section 8 of the said Act, such Judge to be appointed by the Attorney-General of Ontario.

Honorarium of Judge.

(2) Such Judge shall be paid such an honorarium as may be fixed by the Attorney-General of Ontario, one-half of which shall be payable by the United Church of Canada and one-half by the non-concurring congregations of the Presbyterian Church in Canada.

Time for taking vote.

(3) Such vote shall be taken on or before the 1st day of July, 1928, and shall have the same force and effect as if it had been taken before the 10th day of June, 1925.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

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Ltd Bojnord

No. 24.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting the Congregation of the Presbyterian Church of Canada in Rutherford.

1st	Reading,	1928.
2nd	Reading,	1928.
3rd	Reading,	1928.

(*Private Bill.*)

MR. HANEY.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 25. 1928.

BILL

An Act respecting the City of London.

Preamble.

WHEREAS the corporation of the city of London has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of London Act, 1928*.

Power of Housing Commission to reduce selling price of houses.

2. The Housing Commission of the city of London is hereby authorized, with the consent of the council of the corporation of the city of London, from time to time, to reduce the prices of houses and lands sold by the said Commission under agreements of sale by such amounts and upon such conditions as may be approved of by the said council, even though the prices for such houses and lands, when so reduced by the said Commission, may be less than the actual cost thereof, and all agreements of sale in which, or by which, the prices of houses and lands already sold by the said Commission under agreements of sale, have been reduced by the said Commission, are hereby ratified and confirmed, and the said Commission is hereby authorized, with the consent of the said council, to sell to any person or persons or any company or corporation, any or all of the lands owned by the said Commission which are not built upon, at such prices which may in any case be less than the actual cost thereof, and upon such conditions and terms of payment as may be approved of by the said council.

Power of Housing Commission to sell certain land to city.

3. The Housing Commission of the city of London is hereby authorized to sell to the corporation of the city of London, lots numbers five to sixteen, both inclusive, on the south side of the crossway in the said city of London, as shown upon a plan thereof registered in the Registry Office for the registry division of the east and north ridings of the county of Middlesex as Number 524, and the corporation of

the city of London is hereby authorized to purchase and pay for the said lots.

Borrowing $24,900 to pay for Gamewell System for Police Department.

4. Notwithstanding the provisions of any Act or law, the corporation of the city of London may pass a by-law to borrow, and may borrow, a sum not exceeding $24,900, and may issue debentures therefor for any period not exceeding ten years from the date of the issue thereof, and at such rate of interest not exceeding five per cent. per annum as the council of the said corporation may determine, to provide moneys to pay for the Gamewell System purchased by the said corporation for the police department, without submitting the by-law to the electors of the said city of London for their assent.

Borrowing $125,000 for new bridge over Thames River.

5. Notwithstanding the provisions of any Act or law, the corporation of the city of London may pass a by-law to borrow, and may borrow, a sum not exceeding $125,000, and may issue debentures therefor for any period not exceeding thirty years from the date of the issue thereof, and at such rate of interest not exceeding five per cent. per annum as the council of the said corporation may determine, to provide moneys to pay for the erection of a new bridge over the River Thames at the foot of Dundas Street in the said city of London, without submitting the by-law to the electors of the said city of London for their assent.

Annual contribution to Police Benefit Fund.

6. The council of the corporation of the city of London may make a contribution each year to the police benefit fund of the police department of the city of London, out of the general revenues of the corporation, of an amount equal to six per cent. of the total salaries paid, during the next preceding year, to the members and officers of the police force.

Confirmation of payments for celebration of 100th anniversary of founding of city.

7. All payments made by the corporation of the city of London, out of the general revenues of the corporation, for the year 1926, not exceeding the sum of $20,000, in making preparations for the celebration of and in celebrating the hundredth anniversary of the founding of the city of London, are hereby declared to be legal, valid and binding.

Confirmation of payments for reception of guests, travelling expenses, etc.

8. All payments made by the corporation of the city of London, out of the general revenues of the corporation, for the years 1926 and 1927, not exceeding the sum of $15,000 in each of the said years, for, or towards, the reception or entertainment of persons of distinction, the celebration of events or matters of national interest or importance, for, or towards, travelling and other expenses incurred in respect to the matters pertaining to or affecting the interests of the corporation of the city of London, payments made by way of

grants to the Chamber of Commerce of the city of London, for Labour Day celebrations in the said city of London, to aid local institutions, societies and associations, and those, which, in the opinion of the council of the said corporation, advertised, advanced or promoted the interests of the said city of London, are hereby declared to be legal, valid and binding; and the council of the corporation of the city of London, in the event of a judgment being finally recovered by the plaintiff in the action now pending in the Supreme Court of Ontario of Tite versus McCormick, *et al*, may pay all or any sums for principal, interest and costs incurred by the defendants in such action.

Power to spend money on reception of guests, travelling expenses, etc.

9. The council of the corporation of the city of London may pay for, or towards, the reception or entertainment of persons of distinction, the celebration of events or matters of national interest or importance and for, or towards, travelling and other expenses incurred in respect to matters pertaining to or affecting the interest of the corporation, or for any of such purposes, a sum not exceeding, in any year, $10,000.

Assent of electors not required.

Rev. Stat., c. 233.

10. It shall not be necessary for the said corporation to observe, in respect of either of the by-laws mentioned in sections 4 and 5 of this Act, the formalities prescribed by *The Municipal Act*, in relation to the passing of money by-laws.

Irregularity in form not to invalidate.

11. No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid or be allowed as a defence to any action brought against the corporation of the city of London for the recovery of the amount thereof, or any part thereof, or the interest thereon.

Commencement of Act.

12. This Act shall come into force on the day upon which it receives the Royal Assent.

No. 25.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting the City of London.

1st Reading,	1928.
2nd Reading,	1928.
3rd Reading,	1928.

(*Private Bill.*)

MR. MOORE.

TORONTO:
Printed by
Printer to the King's Most Excellent Majesty.

No. 25. 1928.

BILL

An Act respecting the City of London.

Preamble. WHEREAS the corporation of the city of London has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1.** This Act may be cited as *The City of London Act, 1928.*

Power of Housing Commission to reduce selling price of houses. **2.** The Housing Commission of the city of London is hereby authorized, with the consent of the council of the corporation of the city of London, from time to time, to reduce the prices of houses and lands sold by the said Commission under agreements of sale by such amounts and upon such conditions as may be approved of by the said council, even though the prices for such houses and lands, when so reduced by the said Commission, may be less than the actual cost thereof, and all agreements of sale in which, or by which, the prices of houses and lands already sold by the said Commission under agreements of sale, have been reduced by the said Commission, are hereby ratified and confirmed, and the said Commission is hereby authorized, with the consent of the said council, to sell to any person or persons or any company or corporation, any or all of the lands owned by the said Commission which are not built upon, at such prices which may in any case be less than the actual cost thereof, and upon such conditions and terms of payment as may be approved of by the said council.

Power of Housing Commission to sell certain land to city. **3.** The Housing Commission of the city of London is hereby authorized to sell to the corporation of the city of London, lots numbers five to sixteen, both inclusive, on the south side of the crossway in the said city of London, as shown upon a plan thereof registered in the Registry Office for the registry division of the east and north ridings of the county of Middlesex as Number 524, and the corporation of

the city of London is hereby authorized to purchase and pay for the said lots.

Borrowing $24,900 to pay for Gamewell System for Police Department.

4. The corporation of the city of London may pass a by-law to borrow, and may borrow, a sum not exceeding $24,900, and may issue debentures therefor for any period not exceeding ten years from the date of the issue thereof, and at such rate of interest not exceeding five per cent. per annum as the council of the said corporation may determine, to provide moneys to pay for the Gamewell System purchased by the said corporation for the police department, without submitting the by-law to the electors of the said city of London for their assent.

Borrowing $125,000 for new bridge over Thames River.

5. The corporation of the city of London may pass a by-law to borrow, and may borrow, a sum not exceeding $125,000, and may issue debentures therefor for any period not exceeding thirty years from the date of the issue thereof, and at such rate of interest not exceeding five per cent. per annum as the council of the said corporation may determine, to provide moneys to pay for the erection of a new bridge over the River Thames at the foot of Dundas Street in the said city of London, without submitting the by-law to the electors of the said city of London for their assent.

Annual contribution to Police Benefit Fund.

6. The council of the corporation of the city of London may make a contribution each year to the police benefit fund of the police department of the city of London, out of the general revenues of the corporation, of an amount equal to six per cent. of the total salaries paid, during the next preceding year, to the members and officers of the police force.

Confirmation of payments for celebration of 100th anniversary of founding of city.

7. All payments made by the corporation of the city of London, out of the general revenues of the corporation, for the year 1926, not exceeding the sum of $20,000, in making preparations for the celebration of and in celebrating the hundredth anniversary of the founding of the city of London, are hereby declared to be legal, valid and binding.

Confirmation of payments for reception of guests, travelling expenses, etc.

8. All payments made by the corporation of the city of London, out of the general revenues of the corporation, for the years 1926 and 1927, not exceeding the sum of $15,000 in each of the said years, for, or towards, the reception or entertainment of persons of distinction, the celebration of events or matters of national interest or importance, for, or towards, travelling and other expenses incurred in respect to the matters pertaining to or affecting the interests of the corporation of the city of London, payments made by way of grants to the Chamber of Commerce of the city of London, for Labour Day celebrations in the said city of London, to aid

local institutions, societies and associations, and those, which, in the opinion of the council of the said corporation, advertised, advanced or promoted the interests of the said city of London, are hereby declared to be legal, valid and binding; and the council of the corporation of the city of London, in the event of a judgment being finally recovered by the plaintiff in the action now pending in the Supreme Court of Ontario of Tite versus McCormick, *et al*, may pay all or any sums for principal, interest and costs incurred by the defendants in such action.

Power to lease portions of market square.

☞**9**. The corporation of the city of London may with the assent of the municipal electors obtained at the annual municipal election lease, from time to time, such portion or portions of the market square in the said city of London as the council of the said corporation may, from time to time, see fit, for the erection of a building or buildings above such portion or portions of the said market square, at such rentals, for such terms, and subject to such reservations, covenants and conditions as to the council of the said corporation may seem meet.☜

Assent of electors not required.

Rev. Stat., c. 233.

10. It shall not be necessary for the said corporation to observe, in respect of either of the by-laws mentioned in sections 4 and 5 of this Act, the formalities prescribed by *The Municipal Act*, in relation to the passing of money by-laws.

Irregularity in form not to invalidate.

11. No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid or be allowed as a defence to any action brought against the corporation of the city of London for the recovery of the amount thereof, or any part thereof, or the interest thereon.

Commencement of Act.

12. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario,
18 George V, 1928.

BILL.

An Act respecting the City of London.

1st Reading

February 14th, 1928.

2nd Reading

3rd Reading

MR. MOORE.

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 26. 1928.

BILL

An Act respecting Waterworks in the City of Windsor.

Preamble. WHEREAS the Board of Water Commissioners of the City of Windsor has by its petition represented that it is necessary for it to retain at the end of each year out of the monies in its hands a sufficient amount to pay the liabilities of the Board between the first day of the year and the time when the first instalment of water rates is payable under section 21 of the Act passed in 1898 and chaptered 58, being one of the Acts incorporating and regulating the said Board; and whereas the said Board has by its petition prayed that an Act may be passed to amend the said section of said Act so that the said Commissioners will have the authority required for the said purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1898, c. 58, s. 21 repealed. **1.** Section 21 of the Act passed in 1898 and chaptered 58, is hereby repealed and the following substituted therefor:—

Application of revenue from waterworks. 21. Besides providing for the payment attendant upon the maintenance and repair of the waterworks, the Commissioners shall also provide a sum equivalent to the sum necessary to meet the principal and interest on the debentures already issued on account of said waterworks by the Corporation of the City of Windsor and hereafter issued by the said Corporation as the same shall fall due from time to time during each year and shall pay over to the Treasurer of the said Corporation the said sum in such portions corresponding to the payments of rates whether the same shall be yearly or the fractional part of a year within one month after the time fixed for the payment of water rates or sooner if practicable, and any funds remaining in the hands of the Commissioners at the expiration of any year after payment of all maintenance and repairs and other liabilities for the said

past year have been provided for and after deducting thereout a sufficient amount to provide for maintenance and repairs and current expenditures of the Board up to the time for payment of the next instalments of water rates, shall be paid over to the Treasurer of the City and form part of the fund for the redemption and payment of outstanding waterworks debentures, and should no such debenture exist, then such fund shall form part of the general fund of the City and be applied accordingly.

Commencement of Act.

2. This Act shall come into force on the day upon which it receives the Royal Assent.

No. 26.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting Waterworks in the City of Windsor.

1st Reading,	1928.
2nd Reading,	1928.
3rd Reading,	1928.

(*Private Bill*)

MR. POISSON.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 26. 1928.

BILL

An Act respecting Waterworks in the City of Windsor.

Preamble.

WHEREAS the Board of Water Commissioners of the City of Windsor has by its petition represented that it is necessary for it to retain at the end of each year out of the monies in its hands a sufficient amount to pay the liabilities of the Board between the first day of the year and the time when the first instalment of water rates is payable under section 21 of the Act passed in 1898 and chaptered 58, being one of the Acts incorporating and regulating the said Board; and whereas the said Board has by its petition prayed that an Act may be passed to amend the said section of said Act so that the said Commissioners will have the authority required for the said purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1898, c. 58, s. 21 repealed.

1. Section 21 of the Act passed in 1898 and chaptered 58, is hereby repealed and the following substituted therefor:—

Application of revenue from waterworks.

21. Besides providing for the payment attendant upon the maintenance and repair of the waterworks, the Commissioners shall also provide a sum equivalent to the sum necessary to meet the principal and interest on the debentures already issued on account of said waterworks by the Corporation of the City of Windsor and hereafter issued by the said Corporation as the same shall fall due from time to time during each year and shall pay over to the Treasurer of the said Corporation the said sum in such portions corresponding to the payments of rates whether the same shall be yearly or the fractional part of a year within one month after the time fixed for the payment of water rates or sooner if practicable, and any funds remaining in the hands of the Commissioners at the expiration of any year after payment of all maintenance and repairs and other liabilities for the said

past year have been provided for and after deducting thereout a sufficient amount to provide for maintenance and repairs and current expenditures of the Board up to the time for payment of the next instalments of water rates, shall be paid over to the Treasurer of the City and form part of the fund for the redemption and payment of outstanding waterworks debentures, and should no such debenture exist, then such fund shall *be applied in reduction of the cost of water to the user*.

Commencement of Act.

2. This Act shall come into force on the day upon which it receives the Royal Assent.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting Waterworks in the City of Windsor.

1st Reading,

February 14th, 1928.

2nd Reading

3rd Reading

MR. POISSON.

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 27. 1928.

BILL

An Act respecting the City of Toronto.

Preamble.

WHEREAS the Corporation of the City of Toronto has by petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Certain grants confirmed.

1. The following expenditures heretofore made or hereafter to be made by the Council of the Corporation of the City of Toronto are hereby authorized, validated and confirmed,—

(*a*) A grant of $500 to the St. Elizabeth Visiting Nurses' Association;

(*b*) A grant of $45,000 to the Federation for Community Service Fund for the year 1928;

(*c*) A grant of $5,000 to the Federation of the Jewish Philanthropies of Toronto.

By-law No. 11073 borrowing $415,000 for Eastern entrance to Exhibition Grounds confirmed.

2. By-law No. 11073, passed by the Council of the Corporation of the City of Toronto on the 24th day of January, 1927, and entitled "A By-law to authorize the issue of 'City of Toronto General Consolidated Loan Debentures' to the amount of $415,000.00 to provide the sum of $400,000.00 for the erection of a new Eastern Entrance to Exhibition Grounds," and the debentures issued or to be issued under the authority of the said by-law, are hereby ratified and confirmed and declared to be legal, valid and binding upon the said Corporation and the ratepayers thereof.

By-law No. 11440, re closing of part of Jordan Street, confirmed.

3. By-law No. 11440, passed by the Council of the Corporation of the City of Toronto on the 5th day of December, 1927, and entitled "A By-law to close a portion of Jordan Street and to authorize the conveyance thereof to the Canadian Bank of Commerce in exchange for the dedication of

other land to form part of Jordan Street," as set forth in Schedule "A" to this Act, is hereby validated and confirmed, and it is hereby declared that the said Council had power to pass the said by-law and that the said Corporation has power to exchange the portion of the highway closed thereunder for other lands to form part of the said highway.

9 Edw. VII, c. 125, s. 7, repealed.

4. Section 7 of the Act passed in the Ninth year of the reign of His late Majesty King Edward the Seventh, chapter 125, is repealed and the following section enacted in lieu thereof, namely:—

Issue and plan of payment of debentures.

"7.—(1) For the purpose of the two preceding sections or any of them (but not in the event of the issue of 'Street Railway Debentures') the said Council may issue debentures according to any plan authorized to be used in the issuing of municipal debentures, payable in this Province or elsewhere in sums of not less than $100 each, at any time within forty years from their date with interest payable half-yearly during the currency thereof at such rate per annum as the Council of the said Corporation may from time to time determine.

Section retroactive.

"(2) This section shall be read and construed as if it had come into force on the 13th day of April, 1909."

Certain persons not disqualified as members of Toronto Electric Commissioners. Rev. Stat., c. 57.

5.—(1) Notwithstanding the provisions of subsection 5 of section 98 of *The Power Commission Act*, those persons who were on the 31st day of December, 1927, members of the Toronto Electric Commissioners appointed either by "The Hydro-Electric Power Commission of Ontario" or by the Corporation of the City of Toronto, shall not, by reason of being members of "The Toronto Transportation Commission," be disqualified from acting as members of the Toronto Electric Commissioners or be ineligible for reappointment as such at the expiration of their term of office.

Section retroactive.

(2) This section shall be read and construed as if it had come into force on the 1st day of January, 1928.

Power to expropriate certain lands for widening of Bloor Street.

6.—(1) Notwithstanding the provisions of any general or special Act, the Corporation of the City of Toronto may expropriate and take for the widening of Bloor Street, between Sherbourne Street and Spadina Road, the following lands vested in the Governors of the University of Toronto, namely:

"All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Toronto, in the County of York, and Province of

Ontario, being composed of parts of lots Nos. 56 to 63 inclusive, according to a plan filed in the Registry Office for the City of Toronto, as No. D-178, which said parcel may be more particularly known and described as follows:—

"Commencing at the north-easterly angle of lot No. 63;

"Thence westerly, along the northerly limit of lots Nos. 63, 62, 61, 60, 59, 58, 57 and 56, a distance of 480 feet more or less to a point in the northerly limit of lot No. 56, distant 60 feet, measured westerly thereon from the easterly limit of lot No. 56;

"Thence southerly, parallel to the easterly limit of lot No. 56, a distance of 12 feet 4¼ inches more or less to the southerly limit of Bloor Street as widened by City of Toronto By-law No. 9416;

"Thence easterly, along the said southerly limit of Bloor Street 480 feet more or less to the easterly limit of lot No. 63;

"Thence northerly, along the last mentioned limit eight feet more or less to the point of commencement."

Section retroactive.

(2) This section shall be read and construed as if it had come into force on the 25th day of May, 1922.

Confirmation of tax sales and deeds.

7.—(1) All sales of land within the City of Toronto made prior to the 31st day of December, 1926, which purport to have been made by the Corporation of the said City or by its Treasurer for arrears of taxes in respect to the lands so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the Mayor, Treasurer and Clerk of the City of Toronto purporting to convey the said lands so sold to the purchaser thereof or his assigns, or to the said Corporation, shall have the effect of vesting the lands so sold in the purchaser or his assigns, or his or their heirs or assigns, or in the said Corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

Pending litigation not affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under pending litigation.

Commencement of Act.

8. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

No. 11440. A By-law.

To close a portion of Jordan Street and to authorize the conveyance thereof to the Canadian Bank of Commerce in exchange for the dedication of other land to form part of Jordan Street.

[Passed December 5th, 1927.]

Whereas by Report No. 14 of the Committee on Works, adopted by the Council on the 10th day of October, 1927, it was recommended that in order to eliminate the existing jog in Jordan Street the portion of said street hereinafter in Section I described be closed and conveyed to the Canadian Bank of Commerce in exchange for the lands hereinafter in Section III described, all upon the terms and conditions set forth in the said report.

Therefore the Council of the Corporation of the City of Toronto enacts as follows:—

I.

That portion of Jordan Street described by Tracy D. leMay, Esquire, City Surveyor, as follows, namely:—

> All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Toronto, in the County of York and Province of Ontario, being composed of part of the street known as Jordan Street as deeded to the Corporation of the City of Toronto by one Jordan Post in 1831, which said parcel may be more particularly known and described as follows:—Premising that the easterly limit of Jordan Street intersects the northerly limit of Melinda Street at a point distant 47 feet 6½ inches measured westerly thereon from the westerly face of the granite base of the building known in 1927 as Nos. 8 and 10 Melinda Street and that the said limit of Jordan Street is defined at the southerly limit of King Street, by the westerly face of the granite base of the building known in 1927, as the "Standard Bank" then Commencing at a point in the northerly limit of Melinda Street distant 38 feet 5 inches measured westerly thereon from the easterly limit of Jordan Street; Thence northerly, on a line that would pass through a point in the southerly limit of King Street distant 39 feet 1 inch measured westerly thereon from the easterly limit of Jordan Street 75 feet 8 inches to the existing northerly limit of that part of Jordan Street originally laid out as 40 feet in width; Thence, westerly, along the said existing northerly limit 1 foot 7 inches to the existing westerly limit of Jordan Street; Thence southerly, along the said westerly limit 75 feet 8 inches to the northerly limit of Melinda Street; Thence easterly, along the last mentioned limit 1 foot 7 inches to the point of commencement.

is hereby stopped up and closed as a public highway and the conveyance thereof to the Canadian Bank of Commerce in accordance with the provisions of the said Report No. 14 of the Committee on Works is hereby authorized.

II.

The Mayor and Treasurer are hereby authorized to execute the said conveyance and the Treasurer is authorized to affix the seal of the Corporation thereto.

III.

The land described by Tracy D. leMay, Esquire, City Surveyor, as follows, namely:—

All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Toronto, in the County of York and Province of Ontario, being composed of part of Town Lot No. 3, on the south side of King Street, as shown on a plan of the Town of York, which said parcel may be more particularly known and described as follows:—Premising that the easterly limit of Jordan Street intersects the northerly limit of Melinda Street at a point distant 47 feet 6½ inches measured westerly thereon from the westerly face of the granite base of the building known in 1927 as Nos. 8 and 10 Melinda Street and that the said limit of Jordan Street is defined at the southerly limit of King Street by the westerly face of the granite base of the building known in 1927 as the "Standard Bank" then Commencing at a point in the southerly limit of King Street distant 39 feet 1 inch measured westerly thereon from the easterly limit of Jordan Street; Thence southerly, on a line which would pass through a point in the northerly limit of Melinda Street distant 38 feet 5 inches measured westerly thereon from the easterly limit of Jordan Street 93 feet 3½ inches to the existing northerly limit of that part of Jordan Street, originally laid out as 40 feet in width; Thence easterly, along the said existing northerly limit 2 feet 5 inches to the existing westerly limit of that part of Jordan Street, originally laid out as 36 feet in width; Thence northerly, along the last mentioned limit 93 feet 3½ inches to the southerly limit of King Street; Thence westerly, along the said southerly limit of King Street 2 feet 5 inches to the point of commencement.

shall upon being conveyed to the Corporation and upon possession of same being given to the Corporation, form part of Jordan Street.

THOMAS FOSTER,
Mayor.

W. A. LITTLEJOHN,
City Clerk.

COUNCIL CHAMBER,

Toronto, December 5th, 1927.
(L.S.)

Ontario.
18 George V, 1928.

BILL.

An Act respecting the City of Toronto.

1st Reading

2nd Reading

3rd Reading

MR. NESBITT.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 27. 1928.

BILL

An Act respecting the City of Toronto.

Preamble.

WHEREAS the Corporation of the City of Toronto has by petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Certain grants confirmed.

1. The following expenditures heretofore made or hereafter to be made by the Council of the Corporation of the City of Toronto are hereby authorized, validated and confirmed,—

(*a*) A grant of $500 to the St. Elizabeth Visiting Nurses' Association;

(*b*) A grant of $45,000 to the Federation for Community Service Fund for the year 1928;

(*c*) A grant of $5,000 to the Federation of the Jewish Philanthropies of Toronto.

By-law No. 11073 borrowing $415,000 for Eastern entrance to Exhibition Grounds confirmed.

2. By-law No. 11073, passed by the Council of the Corporation of the City of Toronto on the 24th day of January, 1927, and entitled "A By-law to authorize the issue of 'City of Toronto General Consolidated Loan Debentures' to the amount of $415,000.00 to provide the sum of $400,000.00 for the erection of a new Eastern Entrance to Exhibition Grounds," and the debentures issued or to be issued under the authority of the said by-law, are hereby ratified and confirmed and declared to be legal, valid and binding upon the said Corporation and the ratepayers thereof.

By-law No. 11440, *re* closing of part of Jordan Street, confirmed.

3. By-law No. 11440, passed by the Council of the Corporation of the City of Toronto on the 5th day of December, 1927, and entitled "A By-law to close a portion of Jordan Street and to authorize the conveyance thereof to the Canadian Bank of Commerce in exchange for the dedication of

other land to form part of Jordan Street," as set forth in Schedule "A" to this Act, is hereby validated and confirmed, and it is hereby declared that the said Council had power to pass the said by-law and that the said Corporation has power to exchange the portion of the highway closed thereunder for other lands to form part of the said highway.

9 Edw. VII, c. 125, s. 7, repealed.

4. Section 7 of the Act passed in the Ninth year of the reign of His late Majesty King Edward the Seventh, chapter 125, is repealed and the following section enacted in lieu thereof, namely:—

Issue and plan of payment of debentures.

"7.—(1) For the purpose of the two preceding sections or any of them (but not in the event of the issue of 'Street Railway Debentures') the said Council may issue debentures according to any plan authorized to be used in the issuing of municipal debentures, payable in this Province or elsewhere in sums of not less than $100 each, at any time within forty years from their date with interest payable half-yearly during the currency thereof at such rate per annum as the Council of the said Corporation may from time to time determine.

Section retroactive.

"(2) This section shall be read and construed as if it had come into force on the 13th day of April, 1909."

Certain persons not disqualified as members of Toronto Electric Commissioners. Rev. Stat., c. 57.

☞**5.**—(1) Subsection 5 of section 98 of *The Power Commission Act* shall not apply to any member of the Board known as "Toronto Electric Commissioners" holding office on the 31st day of December, 1927, as the appointee of the corporation of the city of Toronto nor render him ineligible for reappointment.☜

Section retroactive.

(2) This section shall be read and construed as if it had come into force on the 1st day of January, 1928.

☞(3) No act performed by the Toronto Electric Commissioners in the period between the 1st day of January, 1928 and the date when this Act comes into force shall be invalid by reason only of the provisions of subsection 5 of section 98 of *The Power Commission Act.*☜

Power to expropriate certain lands for widening of Bloor Street.

6.—(1) Notwithstanding the provisions of any general or special Act, the Corporation of the City of Toronto may expropriate and take for the widening of Bloor Street, between Sherbourne Street and Spadina Road, the following lands vested in the Governors of the University of Toronto, namely:

"All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Toronto, in the County of York, and Province of

Ontario, being composed of parts of lots Nos. 56 to 63 inclusive, according to a plan filed in the Registry Office for the City of Toronto, as No. D-178, which said parcel may be more particularly known and described as follows:—

"Commencing at the north-easterly angle of lot No. 63;

"Thence westerly, along the northerly limit of lots Nos. 63, 62, 61, 60, 59, 58, 57 and 56, a distance of 480 feet more or less to a point in the northerly limit of lot No. 56, distant 60 feet, measured westerly thereon from the easterly limit of lot No. 56;

"Thence southerly, parallel to the easterly limit of lot No. 56, a distance of 12 feet 4¼ inches;

"Thence easterly, in a straight line 480 feet more or less to a point in the easterly limit of lot 63, distant 8 feet measured southerly thereon from the north limit of said lot;

"Thence northerly, along the east limit of lot 63, 8 feet to the point of commencement."

(2) The owners, mortgagees, lessees, tenants, occupants and persons entitled to a limited interest or estate in the said lands or any part thereof shall upon the passing of a by-law expropriating the said lands, have the same rights with reference to compensation and damages as if the said corporation at the date of the said by-law had been authorized to expropriate and take, and had expropriated and taken, the said lands under the provisions of *The Municipal Act*, and the cost of acquiring the said lands shall be added to and form part of the cost of the widening of Bloor Street between Sherbourne Street and Spadina Road undertaken as a local improvement work under By-law number 10854 passed by the council of the said corporation.

Confirmation of tax sales and deeds.

7.—(1) All sales of land within the City of Toronto made prior to the 31st day of December, 1926, which purport to have been made by the Corporation of the said City or by its Treasurer for arrears of taxes in respect to the lands so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the Mayor, Treasurer and Clerk of the City of Toronto purporting to convey the said lands so sold to the purchaser thereof or his assigns, or to the said Corporation, shall have the effect of vesting the lands so sold in the purchaser or his assigns, or his or their heirs or assigns, or in the said Corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at

the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

Pending litigation not affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under pending litigation.

Commencement of Act.

8. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

No. 11440. A By-law.

To close a portion of Jordan Street and to authorize the conveyance thereof to the Canadian Bank of Commerce in exchange for the dedication of other land to form part of Jordan Street.

[Passed December 5th, 1927.]

Whereas by Report No. 14 of the Committee on Works, adopted by the Council on the 10th day of October, 1927, it was recommended that in order to eliminate the existing jog in Jordan Street the portion of said street hereinafter in Section I described be closed and conveyed to the Canadian Bank of Commerce in exchange for the lands hereinafter in Section III described, all upon the terms and conditions set forth in the said report.

Therefore the Council of the Corporation of the City of Toronto enacts as follows:—

I.

That portion of Jordan Street described by Tracy D. leMay, Esquire, City Surveyor, as follows, namely:—

> All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Toronto, in the County of York and Province of Ontario, being composed of part of the street known as Jordan Street as deeded to the Corporation of the City of Toronto by one Jordan Post in 1831, which said parcel may be more particularly known and described as follows:—Premising that the easterly limit of Jordan Street intersects the northerly limit of Melinda Street at a point distant 47 feet 6½ inches measured westerly thereon from the westerly face of the granite base of the building known in 1927 as Nos. 8 and 10 Melinda Street and that the said limit of Jordan Street is defined at the southerly limit of King Street, by the westerly face of the granite base of the building known in 1927,as the "Standard Bank" then Commencing at a point in the northerly limit of Melinda Street distant 38 feet 5 inches measured westerly thereon from the easterly limit of Jordan Street; Thence northerly, on a line that would pass through a point in the southerly limit of King Street distant 39 feet 1 inch measured westerly thereon from the easterly limit of Jordan Street 75 feet 8 inches to the existing northerly limit of that part of Jordan Street originally laid out as 40 feet in width; Thence, westerly, along the said existing northerly limit 1 foot 7 inches to the existing westerly limit of Jordan Street; Thence southerly, along the said westerly limit 75 feet 8 inches to the northerly limit of Melinda Street; Thence easterly, along the last mentioned limit 1 foot 7 inches to the point of commencement.

is hereby stopped up and closed as a public highway and the conveyance thereof to the Canadian Bank of Commerce in accordance with the provisions of the said Report No. 14 of the Committee on Works is hereby authorized.

II.

The Mayor and Treasurer are hereby authorized to execute the said conveyance and the Treasurer is authorized to affix the seal of the Corporation thereto.

III.

The land described by Tracy D. leMay, Esquire, City Surveyor, as follows, namely:—

All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Toronto, in the County of York and Province of Ontario, being composed of part of Town Lot No. 3, on the south side of King Street, as shown on a plan of the Town of York, which said parcel may be more particularly known and described as follows:—Premising that the easterly limit of Jordan Street intersects the northerly limit of Melinda Street at a point distant 47 feet 6½ inches measured westerly thereon from the westerly face of the granite base of the building known in 1927 as Nos. 8 and 10 Melinda Street and that the said limit of Jordan Street is defined at the southerly limit of King Street by the westerly face of the granite base of the building known in 1927 as the "Standard Bank" then Commencing at a point in the southerly limit of King Street distant 39 feet 1 inch measured westerly thereon from the easterly limit of Jordan Street; Thence southerly, on a line which would pass through a point in the northerly limit of Melinda Street distant 38 feet 5 inches measured westerly thereon from the easterly limit of Jordan Street 93 feet 3½ inches to the existing northerly limit of that part of Jordan Street, originally laid out as 40 feet in width; Thence easterly, along the said existing northerly limit 2 feet 5 inches to the existing westerly limit of that part of Jordan Street, originally laid out as 36 feet in width; Thence northerly, along the last mentioned limit 93 feet 3½ inches to the southerly limit of King Street; Thence westerly, along the said southerly limit of King Street 2 feet 5 inches to the point of commencement.

shall upon being conveyed to the Corporation and upon possession of same being given to the Corporation, form part of Jordan Street.

THOMAS FOSTER,
Mayor.

W. A. LITTLEJOHN,
City Clerk.

COUNCIL CHAMBER,

Toronto, December 5th, 1927.
(L.S.)

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act respecting the City of Toronto.

1st Reading

February 14th, 1928.

2nd Reading

3rd Reading

MR. NESBITT.

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 28. 1928.

BILL

An Act respecting the Village of Markdale.

Preamble.

WHEREAS the municipal corporation of the village of Markdale has by petition represented that in response to a largely signed petition coming from electors qualified to vote on money by-laws the council did submit the following question to such electors:

> Are you in favour of the council subscribing for shares to the extent of $5,000 in a company to be organized to be known as "The Markdale Community Hall and Rink Company," or some such similar name, said shares to be entitled to 5 per cent. dividend in priority to all other stock that may be subscribed, the property to be exempt from taxation and to be permanently controlled by council through appointment of majority of directors by Markdale council, and necessary legislation to be applied for authorizing agreement and issue of debentures?

when out of 150 voting on the question, 103 voted in the affirmative and 43 voted in the negative in answer to the question; that it is in the interests of the inhabitants of the said village and of the surrounding country that a building should be erected for the purpose of a Community Hall and Rink; that the Markdale Agricultural Society is desirous that such a building should be erected as it would be available for use for the purpose of its annual exhibition, and have signified its intention to subscribe for 2,000 shares of the common stock of the company; and whereas the said corporation has by its petition prayed that an Act may be passed for the said purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Village of Markdale Act, 1928*.

Power to subscribe for shares and borrow $5,000.

2. The corporation of the village of Markdale may subscribe for 5,000 shares of the par value of $1 each in a company to be formed under the name of "The Markdale Community Hall and Rink Company," or some such similar name, for the purpose of acquiring a site for and erecting a skating rink and, if deemed feasible, a community hall and may without obtaining the assent of the qualified electors, borrow $5,000 by the issue of debentures payable within thirty years from the date of the issue thereof and bearing interest at a rate fixed by the council.

Application of proceeds of debentures.

3. The proceeds of the said debentures shall be applied in payment of the subscription for such shares and for no other purpose.

Appointment of directors by council.

4.—(1) Notwithstanding anything contained in the Letters Patent incorporating the said company the council of the said village shall have the right from time to time to appoint by by-law a majority of the directors of the said company who shall hold office during the pleasure of the council but shall not be required to hold any stock in the said company or possess any other qualifications as a director.

Reeve to represent shares.

(2) The reeve of the said village may represent the shares held by the corporation of the village at all meetings of the shareholders of the said company and may vote on all questions except the election of directors.

Shares to have preference as to dividends.

5. The said shares when purchased shall be held upon and the same are hereby impressed with a trust for the payment of the debentures issued under the authority of this Act; and such shares shall have preference as regards dividends at the rate of five per centum per annum and repayment on dissolution or winding up over all other shares issued or to be issued by the said company.

Dividends to go in reduction of rate.

6. The amount required to be raised by special rate in each year for the payment of the said debentures and interest shall be reduced by the dividends on the said shares and it shall only be necessary to levy such special rate as will with such dividends be sufficient to raise the amount falling due in each year in respect of the said debentures and interest.

Village deemed owner of property.

Rev. Stat., cc. 233, 247.

7. The property of the company to be formed as above set out so long as it is used as a community hall or skating rink shall for the purposes of *The Assessment Act* and *The Community Halls Act* be deemed to be the property of the corporation of the village of Markdale.

Agricultural Society as subscriber.

8. The Markdale Agricultural Society may subscribe for

shares in the common stock of the said company to the extent of $2,000.

9. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario.
18 George V, 1928.

BILL.

An Act respecting the Village of Markdale.

1st Reading

2nd Reading

3rd Reading

MR. OLIVER.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 28. 1928.

BILL

An Act respecting the Village of Markdale.

Preamble. WHEREAS the municipal corporation of the village of Markdale has by petition represented that in response to a largely signed petition coming from electors qualified to vote on money by-laws the council did submit the following question to such electors:

> Are you in favour of the council subscribing for shares to the extent of $5,000 in a company to be organized to be known as "The Markdale Community Hall and Rink Company," or some such similar name, said shares to be entitled to 5 per cent. dividend in priority to all other stock that may be subscribed, the property to be exempt from taxation and to be permanently controlled by council through appointment of majority of directors by Markdale council, and necessary legislation to be applied for authorizing agreement and issue of debentures?

when out of 150 voting on the question, 103 voted in the affirmative and 43 voted in the negative in answer to the question; that it is in the interests of the inhabitants of the said village and of the surrounding country that a building should be erected for the purpose of a Community Hall and Rink; that the Markdale Agricultural Society is desirous that such a building should be erected as it would be available for use for the purpose of its annual exhibition, and have signified its intention to subscribe for 2,000 shares of the common stock of the company; and whereas the said corporation has by its petition prayed that an Act may be passed for the said purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1**. This Act may be cited as *The Village of Markdale Act, 1928*.

Power to subscribe for shares and borrow $5,000.

2. The corporation of the village of Markdale may subscribe for 5,000 shares of the par value of $1 each in a company to be formed under the name of "The Markdale Community Hall and Rink Company," or some such similar name, for the purpose of acquiring a site for and erecting a skating rink and, if deemed feasible, a community hall and may without obtaining the assent of the qualified electors, borrow $5,000 by the issue of debentures payable within thirty years from the date of the issue thereof and bearing interest at a rate fixed by the council.

Application of proceeds of debentures.

3. The proceeds of the said debentures shall be applied in payment of the subscription for such shares and for no other purpose.

Appointment of directors by council.

4.—(1) Notwithstanding anything contained in the Letters Patent incorporating the said company the council of the said village shall have the right from time to time to appoint by by-law a majority of the directors of the said company who *shall be ratepayers of the said village and* shall hold office during the pleasure of the council but shall not be required to hold any stock in the said company or possess any other qualifications as a director.

Reeve to represent shares.

(2) The reeve of the said village may represent the shares held by the corporation of the village at all meetings of the shareholders of the said company and may vote on all questions except the election of directors.

Shares to have preference as to dividends.

5. The said shares when purchased shall be held upon and the same are hereby impressed with a trust for the payment of the debentures issued under the authority of this Act; and such shares shall have preference as regards dividends at the rate of five per centum per annum and repayment on dissolution or winding up over all other shares issued or to be issued by the said company.

Dividends to go in reduction of rate.

6. The amount required to be raised by special rate in each year for the payment of the said debentures and interest shall be reduced by the dividends on the said shares and it shall only be necessary to levy such special rate as will with such dividends be sufficient to raise the amount falling due in each year in respect of the said debentures and interest.

Village deemed owner of property.

Rev. Stat., cc. 233, 247.

7. The property of the company to be formed as above set out so long as it is used as a community hall or skating rink shall for the purposes of *The Assessment Act* and *The Community Halls Act* be deemed to be the property of the corporation of the village of Markdale.

Agricultural Society as subscriber.

8. The Markdale Agricultural Society may subscribe for

shares in the common stock of the said company to the extent of $2,000.

9. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario.
18 George V, 1928.

BILL.

An Act respecting the Village of Markdale.

1st Reading

February 23rd, 1928.

2nd Reading

3rd Reading

MR. OLIVER.

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 29. 1928.

BILL

An Act respecting the County of Halton.

Preamble.

WHEREAS the municipal corporation of the county of Halton has by its petition represented that the said corporation by by-law No. 291, passed on the 22nd day of October, 1907, pursuant to an Act passed in 1907, chaptered 16, intituled *An Act for the Improvement of Public Highways*, designated certain roads and highways to be assumed or improved in the county of Halton; and that for several years the moneys required were raised by a levy on all the rateable property of the county of Halton; and that later certain of the municipalities in the said county requiring more extensive roads than certain other municipalities, requested the council to pass a by-law for the issuing of debentures for the amount required on the promise and agreement of the said municipalities receiving such grant, that the annual amount required for the payment of principal and interest under such debentures should be paid wholly by the said municipalities participating in such agreement; and that under by-laws Nos. 428 and 439, dated March, 1918, the said county council on sale of debentures thereunder received the sum of $72,201.80, which amount was apportioned amongst the townships of Trafalgar and Nelson, the towns of Burlington and Georgetown and the village of Acton; and that under a similar agreement the council of the said county in October, 1921, passed by-law No. 479 and on the sale of debentures thereunder the said council received $96,410 and which amount was apportioned amongst the townships of Esquesing, Nelson and Trafalgar; and whereas under a similar agreement, the council of the said county in October, 1922, passed by-law No. 495 and on the sale of debentures thereunder the said council received $45,494 and which amount was apportioned between the townships of Nelson and Trafalgar; and that under a similar agreement and in December of 1924 the council of the said county passed by-law No. 526 and on the sale of debentures thereunder the said council received the sum of $68,717.10 and the whole of said amount was paid over to the township of Trafalgar; and that said by-laws Nos. 479, 495 and 526 provided that the said moneys should be levied against all the rateable property

in the county but the rating by-laws provided for the levy thereof against the rateable property in the municipalities receiving the said moneys and in certain litigation pending in the courts it has been held that such rating by-laws are irregular in so far as they attempt to levy said moneys only against the municipalities receiving the grants; and whereas the said corporation has by its petition prayed that an Act be passed to carry into effect the true intent of the agreements between the county and the municipalities; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The County of Halton Act, 1928*.

Levy of rates under By-laws 428, 439.

2. The council of the corporation of the county of Halton may levy and collect from the townships of Trafalgar and Nelson and the towns of Burlington and Georgetown and the village of Acton, the annual payments set out in by-laws Nos. 428 and 439 of said county, still remaining unpaid in proportion to the amounts advanced to or expended on behalf of the said several municipalities under said by-laws.

Levy of rates under By-law 479.

3. The council of the corporation of the county of Halton may levy and collect from the townships of Trafalgar, Nelson and Esquesing the annual payments set out in by-law No. 479 of the said county of Halton and still remaining unpaid, in proportion to the amounts advanced to or expended on behalf of the said several municipalities under said by-law.

Levy of rates under By-law 495.

4. The council of the corporation of the county of Halton may levy and collect from the townships of Trafalgar and Nelson the annual payments set out in by-law No. 495 of the county of Halton and still remaining unpaid in proportion to the amounts advanced to or expended on behalf of the said two municipalities under said by-law.

Levy of rates under By-law 526.

5. The council of the corporation of the county of Halton may levy and collect from the township of Trafalgar, the whole of the annual payments set out in by-law No. 526 of the said county of Halton and still remaining unpaid.

Commencement of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

An Act respecting the County of Halton.

1st Reading

2nd Reading

3rd Reading

MR. HILLMER.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 29. 1928.

BILL

An Act respecting the County of Halton.

Preamble.

WHEREAS the municipal corporation of the county of Halton has by its petition represented that the said corporation by by-law No. 291, passed on the 22nd day of October, 1907, pursuant to an Act passed in 1907, chaptered 16, intituled *An Act for the Improvement of Public Highways*, designated certain roads and highways to be assumed or improved in the county of Halton; and that for several years the moneys required were raised by a levy on all the rateable property of the county of Halton; and that later certain of the municipalities in the said county requiring more extensive roads than certain other municipalities, requested the council to pass a by-law for the issuing of debentures for the amount required on the promise and agreement of the said municipalities receiving such grant, that the annual amount required for the payment of principal and interest under such debentures should be paid wholly by the said municipalities participating in such agreement; and that under by-laws Nos. 428 and 439, dated March, 1918, the said county council on sale of debentures thereunder received the sum of $72,201.80, which amount was apportioned amongst the townships of Trafalgar and Nelson, the towns of Burlington and Georgetown and the village of Acton; and that under a similar agreement the council of the said county in October, 1921, passed by-law No. 479 and on the sale of debentures thereunder the said council received $96,410 and which amount was apportioned amongst the townships of Esquesing, Nelson and Trafalgar; and whereas under a similar agreement, the council of the said county in October, 1922, passed by-law No. 495 and on the sale of debentures thereunder the said council received $45,494 and which amount was apportioned between the townships of Nelson and Trafalgar; and that under a similar agreement and in December of 1924 the council of the said county passed by-law No. 526 and on the sale of debentures thereunder the said council received the sum of $68,717.10 and the whole of said amount was paid over to the township of Trafalgar; and that said by-laws Nos. 479, 495 and 526 provided that the said moneys should be levied against all the rateable property

in the county but the rating by-laws provided for the levy thereof against the rateable property in the municipalities receiving the said moneys and in certain litigation pending in the courts it has been held that such rating by-laws are irregular in so far as they attempt to levy said moneys only against the municipalities receiving the grants; and whereas the said corporation has by its petition prayed that an Act be passed to carry into effect the true intent of the agreements between the county and the municipalities; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The County of Halton Act, 1928*.

Levy of rates under By-laws 428, 439.

2. The council of the corporation of the county of Halton may levy and collect from the townships of Trafalgar and Nelson and the towns of Burlington and Georgetown and the village of Acton, the annual payments set out in by-laws Nos. 428 and 439 of said county, still remaining unpaid in proportion to the amounts advanced to or expended on behalf of the said several municipalities under said by-laws.

Levy of rates under By-law 479.

3. The council of the corporation of the county of Halton may levy and collect from the townships of Trafalgar, Nelson and Esquesing the annual payments set out in by-law No. 479 of the said county of Halton and still remaining unpaid, in proportion to the amounts advanced to or expended on behalf of the said several municipalities under said by-law.

Levy of rates under By-law 495.

4. The council of the corporation of the county of Halton may levy and collect from the townships of Trafalgar and Nelson the annual payments set out in by-law No. 495 of the county of Halton and still remaining unpaid in proportion to the amounts advanced to or expended on behalf of the said two municipalities under said by-law.

Levy of rates under By-law 526.

5. The council of the corporation of the county of Halton may levy and collect from the township of Trafalgar, the whole of the annual payments set out in by-law No. 526 of the said county of Halton and still remaining unpaid.

Annual sum of $1,500 to be paid to Township of Trafalgar.

☞**6**. The county of Halton shall pay to the township of Trafalgar the sum of $1,500 annually for a period of ten years from the 15th day of December, 1925, in consideration of the saving to the county of Halton in maintenance of the county roads constructed in the township of Trafalgar by the ex-

penditure of moneys borrowed by the county of Halton under the said by-laws.

7. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario.
18 George V, 1928.

BILL.

An Act respecting the County of Halton.

1st Reading

February 14th, 1928.

2nd Reading

3rd Reading

MR. HILLMER.

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 30. 1928.

BILL

An Act respecting the City of St. Catharines.

Preamble.

WHEREAS the Corporation of the City of St. Catharines has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of St. Catharines Act, 1928*.

Power to acquire lands for and establish airport.

Rev. Stat., c. 233.

2. The Corporation of the City of St. Catharines may acquire lands beyond the municipal limits of the said City for the purpose of establishing thereon an airport or air harbour under the provisions of paragraph 31 of section 396 of *The Municipal Act*; and, subject to the assent of the electors of the said City qualified to vote on money by-laws being first obtained thereto, the Council of the said Corporation may pass by-laws to authorize the issue of debentures of the Corporation to pay for the cost of acquiring such land and of establishing an airport or air harbour thereon.

Power to purchase police alarm signal system at $25,000.

3.—(1) The said Corporation may purchase and instal a police alarm signal system with all apparatus, equipment, appliances and devices necessary or incidental thereto in and for the said City of St. Catharines; and the council of the said corporation may pass by-laws to authorize the issue of debentures of the Corporation to an amount not exceeding $25,000 to pay for the cost of purchasing and installing the said system.

Assent of electors not required.

(2) It shall not be necessary to obtain the assent of the electors of the said City qualified to vote on money by-laws to by-laws passed under this section if the same are passed by a vote of two-thirds of all the members of the Council.

Reserve funds for waterworks purposes.

4. The Waterworks Commission of the City of St. Catharines may out of its revenues from year to year set aside, create and establish reserve funds for depreciation, obsolescence, renewals and other purposes in respect of the Waterworks System of the said City.

Tax sales and deeds confirmed.

5. All sales of land within the City of St. Catharines made by the Treasurer of the said Corporation in the years 1921, 1923 and 1924, respectively, purporting to be made for arrears of taxes in respect to the lands so sold, are hereby validated and confirmed, and all conveyances of land so sold, executed by the Mayor and Treasurer of the said Corporation purporting to convey the said lands so sold to the purchaser thereof or his assigns, or to the said Corporation, shall have the effect of vesting the lands so sold in the purchaser or his assigns, or his or their heirs or assigns, or in the said Corporation and its successors and assigns, as the case may be, in fee simple, and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and of all charges and encumbrances thereon, except taxes accruing after those for non-payment of which the said lands were sold.

Commencement of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

No. 30.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting the City of St. Catharines.

1st Reading,	1928.
2nd Reading,	1928.
3rd Reading,	1928.

(*Private Bill*)

MR. GRAVES.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 30. 1928.

BILL

An Act respecting the City of St. Catharines.

Preamble.

WHEREAS the Corporation of the City of St. Catharines has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of St. Catharines Act, 1928.*

Power to acquire lands for and establish airport.

Rev. Stat., c. 233.

2. The Corporation of the City of St. Catharines may acquire lands beyond the municipal limits of the said City for the purpose of establishing thereon an airport or air harbour under the provisions of paragraph 31 of section 396 of *The Municipal Act*; and, subject to the assent of the electors of the said City qualified to vote on money by-laws being first obtained thereto, the Council of the said Corporation may pass by-laws to authorize the issue of debentures of the Corporation to pay for the cost of acquiring such land and of establishing an airport or air harbour thereon.

Power to purchase police alarm signal system at $25,000.

3.—(1) The said Corporation may purchase and instal a police alarm signal system with all apparatus, equipment, appliances and devices necessary or incidental thereto in and for the said City of St. Catharines; and the council of the said corporation may pass by-laws to authorize the issue of debentures of the Corporation to an amount not exceeding $25,000, *and payable within a term not exceeding ten years from the date of the issue thereof*, to pay for the cost of purchasing and installing the said system.

Assent of electors not required.

(2) It shall not be necessary to obtain the assent of the electors of the said City qualified to vote on money by-laws to by-laws passed under this section if the same are passed by a vote of two-thirds of all the members of the Council.

Reserve funds for waterworks purposes.

4. The Waterworks Commission of the City of St. Catharines may out of its revenues from year to year set aside, create and establish reserve funds for depreciation, obsolescence, renewals and other purposes in respect of the Waterworks System of the said City.

Tax sales and deeds confirmed.

5. All sales of land within the City of St. Catharines made by the Treasurer of the said Corporation in the years 1921, 1923 and 1924, respectively, purporting to be made for arrears of taxes in respect to the lands so sold, are hereby validated and confirmed, and all conveyances of land so sold, executed by the Mayor and Treasurer of the said Corporation purporting to convey the said lands so sold to the purchaser thereof or his assigns, or to the said Corporation, shall have the effect of vesting the lands so sold in the purchaser or his assigns, or his or their heirs or assigns, or in the said Corporation and its successors and assigns, as the case may be, in fee simple, and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and of all charges and encumbrances thereon, except taxes accruing after those for non-payment of which the said lands were sold.

Commencement of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario,
18 George V, 1928.

BILL.

An Act respecting the City of St. Catharines.

1st Reading

February 23rd, 1928.

2nd Reading

3rd Reading

MR. GRAVES.

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 31. 1928.

BILL

An Act respecting the Town of Riverside.

Preamble. WHEREAS the municipal corporation of the town of Riverside has by petition represented that the East Marsh drain and the West Marsh drain, in the town of Riverside, are drainage works constructed by the township of Sandwich East under *The Municipal Drainage Act* prior to the incorporation of the town of Riverside; and whereas the whole of the drainage area served by the said drains is situate within the town of Riverside; and whereas the town of Riverside covers a large area extending along the Detroit River and shore of Lake St. Clair; and whereas the westerly part of the said town of Riverside is subdivided and built upon, and large sums of money have been spent therein on local improvements, and the corporation's share of such local improvements is being assessed against all the rateable property in the said town; and whereas the lands served by the said East and West Marsh drains get no benefit from the said local improvements; and whereas the municipal council of the corporation of the town of Riverside deem it equitable to assume and pay out of the general funds of the corporation all future payments in respect of debentures issued for the said drainage works; and whereas the corporation of the town of Riverside deem it expedient that they be empowered to take over the said East Marsh drain and the said West Marsh drain and to maintain, repair, improve, and add to the same or either of them and to construct pumphouses and repair and add to existing pumphouses used in connection with the same and to specially assess the cost thereof under *The Local Improvement Act;* and whereas it appears that it may be necessary to alter the courses of the said drains and that at some time the said drains will become outlet sewers in the town of Riverside; and whereas it may be necessary to fill in certain lands and to cover certain parts of the said drains and the lands adjacent thereto will be greatly benefitted thereby; and it appears just that the cost of such work should be assessed against the lands benefitted under the provisions of *The Local Improvement Act;* and whereas there are certain low-lying lands along the shore of Lake St. Clair and the banks of the Detroit River which are privately owned and which in the interests of health and

Rev. Stat., c. 241.

Rev. Stat., c. 235.

property in the municipality should be filled in and the cost thereof assessed against the lands benefitted thereby under the provisions of *The Local Improvement Act;* and whereas the municipal council of the corporation of the town of Riverside did on the 31st day of January, 1928, pass by-law number 260 "D," being a by-law to provide for the borrowing of $21,066.00 to pay for the construction of a storm sewer on the line of the old Hawkins drain from the Detroit River to Reedmere Avenue; and whereas the said by-law was passed to provide for the payment of the cost of works constructed under *The Local Improvement Act*, and such work was constructed on privately owned land on the course of an old water-course, and some question has arisen as to the power of the municipal corporation of the town of Riverside to construct the said work as a local improvement; and whereas the municipal corporation of the town of Riverside has, by its petition, prayed for special legislation in respect of the said matters; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Riverside Act, 1928*.

Interpretation.

2. In this Act,—

(*a*) "Corporation" shall mean the municipal corporation of the town of Riverside.

(*b*) "Court of Revision" shall mean Court of Revision of the municipal corporation of the town of Riverside.

(*c*) "Sewer" shall include a common sewer and a drain and two or more sewers connected as a system of sewers.

(*d*) "East Marsh Drain" shall mean the drainage work constructed under *The Municipal Drainage Act* by the township of Sandwich East but now in the town of Riverside.

(*e*) "West Marsh Drain" shall mean the drainage work constructed under *The Municipal Drainage Act* by the township of Sandwich East but now in the town of Riverside.

Assumption by Corporation of assessments.

3. The corporation may pass by-laws to assume and pay out of the general funds of the corporation any or all assess-

ments against any lands within the corporation in respect of debentures issued for the drains within the corporation known as the East Marsh drain and the West Marsh drain.

Power to undertake certain works.

4. The corporation may pass by-laws for any of the following purposes:

(*a*) To undertake and provide for the maintenance, repair and improvement of the East Marsh drain and the West Marsh drain or either of them;

(*b*) To undertake and provide for the construction, operation, maintenance and repair of pumping plants to be used in connection with the said East Marsh drain and the said West Marsh drain, or either of them, or any outlet sewers with which the same may be replaced;

(*c*) To undertake and provide for the covering of the said East Marsh drain and the West Marsh drain, or either of them;

(*d*) To undertake and provide for the alteration of the course either in whole or in part of the East Marsh drain and the West Marsh drain, or either of them;

(*e*) To undertake and provide for the filling, either in whole or in part, of the East Marsh drain or the West Marsh drain, or either of them;

(*f*) To undertake and provide for the construction of sewers on the course of the East Marsh drain or the West Marsh drain, or either of them, or on any course which may be adopted in substitution for the course of the East Marsh drain and the West Marsh drain, or either of them;

(*g*) To undertake and provide for the filling of any or all the low-lying lands situate between the road known as Riverside Drive and the banks of the Detroit River and the shore of Lake St. Clair.

Assumption by Corporation of portion of cost.

5. The corporation may assume such portion of the cost of the works mentioned in section 4 as may seem equitable, but in no case shall such proportion be less than the proportion which the corporation would have to bear in the case of the construction of a sewer under *The Local Improvement Act*, and for the purposes of this Act, the said works shall be deemed a sewer within the meaning of *The Local Improvement Act*.

Assessment of lands not subdivided.

6. Where lands are so situate that they will eventually be subdivided, but have not been subdivided at the time of undertaking the work, the corporation may assess the owners' share of the cost of such work as though the said lands had been subdivided into lots at a rate as nearly equal as possible to similar lands already subdivided into lots.

Application of Rev. Stat., c. 235.

7. The works mentioned in section 4 may be undertaken as local improvements under section 8 of *The Local Improvement Act* and save as herein provided, all the provisions of *The Local Improvement Act* shall apply *mutatis mutandis* to any work undertaken under this Act.

Assessment roll and by-law 260 "D" confirmed.

8. The assessment roll made by the engineer of the corporation in respect of the storm-water sewer constructed on the line of the old Hawkins drain in the corporation from the Detroit River to Reedmere Road as the same was confirmed by the county judge of the county of Essex on appeal on the 31st day of January, A.D. 1928, is hereby declared to be legal, valid and binding upon the corporation, and by-law number 260 "D," a copy of which is contained in schedule "A," is hereby declared to be legal, valid and binding upon the corporation.

Commencement of Act.

9. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

TOWN OF RIVERSIDE.

BY-LAW NUMBER 260 "D."

A by-law to provide for the borrowing of $21,066.00 to pay for the construction of a Storm Sewer on the line of the Old Hawkins Drain from Detroit River to Reedmere Avenue.

Whereas pursuant to Construction By-law Number 247 "C," a Storm Sewer has been constructed on the line of the Old Hawkins Drain from the Detroit River to Reedmere Avenue as a local improvement under the provisions of *The Local Improvement Act.*

And whereas the total cost of the work is $21,066.00, of which $9,657.62 is the Corporation's portion of the cost, and $11,408.38 is the owners' portion of the cost, for which a Special Assessment Roll has been duly made and certified.

And whereas the estimated lifetime of the work is sixteen (16) years.

And whereas the Provincial Board of Health has approved of said work.

And whereas it is necessary to borrow the said sum of $21,066.00 on the credit of the Corporation and to issue debentures therefor bearing interest at the rate of Five and One-half per cent. (5½%) per annum, which is the amount of the debt intended to be created by this by-law.

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of Fifteen (15) years of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years.

And whereas it will be necessary to raise annually the sum of $2,098.71 during the period of Fifteen (15) years to pay the said yearly sums of principal and interest as they become due, of which $962.14 is required to pay the Corporation's portion of the cost and interest thereon, and $1,136.57 is required to pay the owners' portion of the cost and interest thereon.

And whereas the amount of the whole rateable property of the Municipality, according to the last Revised Assessment Roll is $4,705,337.00.

And whereas the amount of the existing Debenture Debt of the Corporation, exclusive of local improvement debts secured by special rates or assessments is $320,000.00, and no part of the principal or interest is in arrear.

Therefore the Municipal Council of the Corporation of the Town of Riverside enacts as follows:

1. That for the purpose aforesaid there shall be borrowed on the credit of the Corporation at large, the sum of $21,066.00 and debentures shall be issued therefor in sums of not less than $50.00 each bearing interest at the rate of Five and One-half per cent. (5½%) per annum payable semi-annually, and having coupons attached thereto for the payment of interest.

2. The debentures shall all bear the same date and shall be issued within Two (2) years after the day on which this by-law is passed and may bear any date within such Two (2) years, and shall be payable in Fifteen (15) annual instalments during the Fifteen (15) years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as set forth in Schedule "A" hereto annexed, which is hereby declared to be and form part of this by-law.

3. The debentures shall be payable both as to principal and interest in Canadian currency at the principal office of the Canadian Bank of Commerce at Montreal, Toronto, or Ford City, Ontario.

4. The Mayor of the Corporation shall sign and issue the debentures and the debentures and interest coupons shall be signed by the Treasurer and the debentures shall be sealed with the Seal of the Corporation. The signature of the Treasurer upon the coupons may be written, stamped, lithographed or engraved.

5. During the Fifteen (15) years the currency of the debentures, the sum of $2,098.71 shall be raised annually for the payment of the debt and interest as follows: The sum of $962.14 shall be raised annually for the payment of the Corporation's portion of the cost and interest thereon and shall be levied and raised annually by a special rate sufficient therefor over and above all other rates on all the rateable property in the Municipality at the same time and in the same manner as other rates. For the payment of the owners' portion of the cost and interest thereon, after deducting any sums received by the Municipality by way of commutation of special rates, and the interest thereon, the special assessments set forth in the Special Assessment Roll prepared in respect of the said work are hereby imposed upon the land liable therefor as therein set forth, which said Special Assessments with a sum to cover interest thereon at the rate aforesaid shall be payable in Fifteen (15) annual instalments of $1,136.57 each and for that purpose the respective special annual rates per foot frontage set forth in the said Special Assessment Roll are hereby imposed upon the lots set forth in the said Special Assessment Roll for the said work according to the assessed frontage thereof over and above all other rates and taxes which said special rates shall be collected annually by the Collector of Taxes for the Corporation at the same time and in the same manner as other rates.

6. The Debentures may contain any clause providing for the registration thereof authorized by any Statute relating to Municipal debentures in force at the time of the issue thereof.

7. The amount of the loan authorized by this By-law may be consolidated with the amount of any loans authorized by other local improvement by-laws, by including the same with such other loans in a Consolidating By-law authorizing the borrowing of the aggregate amount thereof in one loan, and the issue of debentures for such loan in one consecutive issue pursuant to the provisions of the Statute in that behalf.

8. This By-law shall take effect on the day of the final passing thereof.

Finally passed this 31st day of January, A.D. 1928.

HARRY A. DROUILLARD,
Mayor.

C. J. MCHUGH,
Clerk.

Schedule One (1) to
By-law Number 260 "D."

Year	Principal	Interest	Equal Annual Payment
1	$ 940 08	$ 1,158 63	$ 2,098 71
2	991 79	1,106 92	2,098 71
3	1,046 34	1,052 37	2,098 71
4	1,103 88	994 83	2,098 71
5	1,164 60	934 11	2,098 71
6	1,228 65	870 06	2,098 71
7	1,296 23	802 48	2,098 71
8	1,367 52	731 19	2,098 71
9	1,442 73	655 98	2,098 71
10	1,522 08	576 63	2,098 71
11	1,605 80	492 91	2,098 71
12	1,694 12	404 59	2,098 71
13	1,787 29	311 42	2,098 71
14	1,885 59	213 12	2,098 71
15	1,989 30	109 41	2,098 71
	$ 21,066 00	$ 10,414 65	$ 31,480 65

Ontario,
18 George V, 1928.

BILL.

An Act respecting the Town of Riverside.

1st Reading

February 23rd, 1928.

2nd Reading

3rd Reading

MR. POISSON.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 31. 1928.

BILL

An Act respecting the Town of Riverside.

Preamble. WHEREAS the municipal corporation of the town of Riverside has by petition represented that the East Marsh drain and the West Marsh drain, in the town of Riverside, are drainage works constructed by the township of Sandwich East under *The Municipal Drainage Act* prior to the incorporation of the town of Riverside; and whereas the whole of the drainage area served by the said drains is situate within the town of Riverside; and whereas the town of Riverside covers a large area extending along the Detroit River and shore of Lake St. Clair; and whereas the westerly part of the said town of Riverside is subdivided and built upon, and large sums of money have been spent therein on local improvements, and the corporation's share of such local improvements is being assessed against all the rateable property in the said town; and whereas the lands served by the said East and West Marsh drains get no benefit from the said local improvements; and whereas the municipal council of the corporation of the town of Riverside deem it equitable to assume and pay out of the general funds of the corporation all future payments in respect of debentures issued for the said drainage works; and whereas the corporation of the town of Riverside deem it expedient that they be empowered to take over the said East Marsh drain and the said West Marsh drain and to maintain, repair, improve, and add to the same or either of them and to construct pumphouses and repair and add to existing pumphouses used in connection with the same and to specially assess the cost thereof under *The Local Improvement Act;* and whereas it appears that it may be necessary to alter the courses of the said drains and that at some time the said drains will become outlet sewers in the town of Riverside; and whereas it may be necessary to fill in certain lands and to cover certain parts of the said drains and the lands adjacent thereto will be greatly benefitted thereby; and it appears just that the cost of such work should be assessed against the lands benefitted under the provisions of *The Local Improvement Act;* and whereas the municipal council of the corporation of the town of Riverside did on the 31st day of January, 1928, pass by-law number 260 "D," being a by-law to provide for the borrowing

Rev. Stat., c. 241.

Rev. Stat., c. 235.

of $21,066.00 to pay for the construction of a storm sewer on the line of the old Hawkins drain from the Detroit River to Reedmere Avenue; and whereas the said by-law was passed to provide for the payment of the cost of works constructed under *The Local Improvement Act*, and such work was constructed on privately owned land on the course of an old water-course, and some question has arisen as to the power of the municipal corporation of the town of Riverside to construct the said work as a local improvement; and whereas the municipal corporation of the town of Riverside has, by its petition, prayed for special legislation in respect of the said matters; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Riverside Act, 1928*.

Interpretation.

2. In this Act,—

(*a*) "Corporation" shall mean the municipal corporation of the town of Riverside.

(*b*) "Sewer" shall include a common sewer and a drain and two or more sewers connected as a system of sewers.

(*c*) "East Marsh Drain" shall mean the drainage work constructed under *The Municipal Drainage Act* by the township of Sandwich East but now in the town of Riverside known as the East Marsh Drain.

(*d*) "West Marsh Drain" shall mean the drainage work constructed under *The Municipal Drainage Act* by the township of Sandwich East but now in the town of Riverside known as the West Marsh Drain.

Assumption by Corporation of assessments.

3. The corporation may pass by-laws to assume and pay out of the general funds of the corporation any or all assessments against any lands within the corporation in respect of debentures issued for the drains within the corporation known as the East Marsh drain and the West Marsh drain.

Power to undertake certain works.

4. The corporation may pass by-laws for undertaking in connection with the East Marsh Drain or the West Marsh Drain any of the following works:

(*a*) The repair or improvement of the said drains.

(*b*) The construction, repair and improvement of pumping plants which are now or may hereafter be used in connection with the said drains, or any outlet sewers with which the same may be replaced.

(*c*) The covering of the said drains.

(*d*) The alteration of the course either in whole or in part of the said drains.

(*e*) The filling either in whole or in part of the said drains.

(*f*) The construction of a sewer on the course of the said drains or on any course which may be adopted in substitution therefor.

Assumption by Corporation of portion of cost.

5. The corporation may assume such portion of the cost of the works mentioned in section 4 as may seem equitable, but in no case shall such proportion be less than the proportion which the corporation would have to bear in the case of the construction of a sewer under *The Local Improvement Act*, and for the purposes of this Act, the said works shall be deemed a sewer within the meaning of *The Local Improvement Act*.

Assessment of lands not subdivided.

6.—(1) Where land benefitted by the work is so situate that it is impracticable to assess the same by an equal rate per foot frontage the corporation may procure the report required by section 34 of *The Local Improvement Act* to be made by an engineer, and the engineer in his report may designate one or more sections or districts in which the land is benefitted in the same proportion and its proper proportion of the cost shall be assigned to each district or section and the proportion to be borne by each district or section shall be specially assessed on the lots therein according to their area at an equal special rate per acre or fraction thereof.

(2) Where it is intended to assess lands under this section the Notice of Intention to be published under section 10 of *The Local Improvement Act* shall set forth the districts or sections proposed to be so assessed, the proportions of the cost of the work for which they are to be assessed and the estimated rate per acre of such assessment.

(3) Any owner of lands to be specially assessed under this section being dissatisfied with the method of assessment or the amount thereof may by petition apply to the Railway and Municipal Board for relief and the Board may thereupon

investigate the complaint and make such order with respect to the work as may seem proper and after notice to the clerk of the corporation of the application and pending its determination by the Board the council shall not proceed with the work.

(4) Such petition shall be deposited with the Secretary of the Railway and Municipal Board within twenty-one (21) days after the publication of notice of the council's intention to undertake the work.

(5) The by-law for undertaking the work shall not be passed until the expiry of twenty-one days after publication of the said notice.

(6) Where part of a whole lot or portion of a lot assessed under this section has been sold or subdivided since the final revision of the special assessment roll, the owner of the part so sold or the owner of the remaining portion of the lands or the owner of the subdivided lands so assessed may give notice to the clerk of the corporation that he requires such assessment to be apportioned between the owners of the property so assessed or among the lots into which the lands so assessed have been subdivided and the town engineer shall thereupon make such apportionment in writing and same shall be filed with the clerk and shall by him be attached to the original special assessment roll and subject to alteration or correction by the judge on appeal shall be binding upon the lands assessed in the manner apportioned by the engineer and the rate shall thereafter be levied and collected accordingly.

(7) The costs of the engineer shall be borne and paid in the manner which may be fixed or apportioned by such engineer.

(8) The clerk of the corporation shall give notice in writing to the owners of all lands affected by any apportionment under subsection 5 of this section by mailing such notice to the owners at their addresses as they appear in the current assessment roll and any owner dissatisfied with such apportionment may appeal to the county judge within ten (10) days from the date of the mailing of such notice.

(9) The provisions of *The Local Improvement Act* as to procedure on appeals to the county judge shall apply to appeals under subsection 7 of this section.

(10) The judge hearing the appeal may alter or vary the apportionment made by the engineer in such manner as may seem just, and the clerk shall cause such corrections and alterations to be entered on the written apportionment attached to the special assessment roll.

(11) The costs of any application or appeal under this section shall be in the discretion of the Railway and Municipal Board and the judge respectively.

Application of Rev. Stat., c. 235.

7. The works mentioned in section 4 may be undertaken as local improvements under section 8 of *The Local Improvement Act* and save as herein provided, all the provisions of *The Local Improvement Act* shall apply *mutatis mutandis* to any work undertaken under this Act.

Assessment roll and by-law 260 "D" confirmed.

8. The assessment roll made by the engineer of the corporation in respect of the storm-water sewer constructed on the line of the old Hawkins drain in the corporation from the Detroit River to Reedmere Road as the same was confirmed by the county judge of the county of Essex on appeal on the 31st day of January, A.D. 1928, is hereby declared to be legal, valid and binding upon the corporation, and by-law number 260 "D," a copy of which is contained in schedule "A," is hereby declared to be legal, valid and binding upon the corporation.

Commencement of Act.

9. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

TOWN OF RIVERSIDE.

BY-LAW NUMBER 260 "D."

A by-law to provide for the borrowing of $21,066.00 to pay for the construction of a Storm Sewer on the line of the Old Hawkins Drain from Detroit River to Reedmere Avenue.

Whereas pursuant to Construction By-law Number 247 "C," a Storm Sewer has been constructed on the line of the Old Hawkins Drain from the Detroit River to Reedmere Avenue as a local improvement under the provisions of *The Local Improvement Act.*

And whereas the total cost of the work is $21,066.00, of which $9,657.62 is the Corporation's portion of the cost, and $11,408.38 is the owners' portion of the cost, for which a Special Assessment Roll has been duly made and certified.

And whereas the estimated lifetime of the work is sixteen (16) years.

And whereas the Provincial Board of Health has approved of said work.

And whereas it is necessary to borrow the said sum of $21,066.00 on the credit of the Corporation and to issue debentures therefor bearing interest at the rate of Five and One-half per cent. (5½%) per annum, which is the amount of the debt intended to be created by this by-law.

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of Fifteen (15) years of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years.

And whereas it will be necessary to raise annually the sum of $2,098.71 during the period of Fifteen (15) years to pay the said yearly sums of principal and interest as they become due, of which $962.14 is required to pay the Corporation's portion of the cost and interest thereon, and $1,136.57 is required to pay the owners' portion of the cost and interest thereon.

And whereas the amount of the whole rateable property of the Municipality, according to the last Revised Assessment Roll is $4,705,337.00.

And whereas the amount of the existing Debenture Debt of the Corporation, exclusive of local improvement debts secured by special rates or assessments is $320,000.00, and no part of the principal or interest is in arrear.

Therefore the Municipal Council of the Corporation of the Town of Riverside enacts as follows:

1. That for the purpose aforesaid there shall be borrowed on the credit of the Corporation at large, the sum of $21,066.00 and debentures shall be issued therefor in sums of not less than $50.00 each bearing interest at the rate of Five and One-half per cent. (5½%) per annum payable semi-annually, and having coupons attached thereto for the payment of interest.

2. The debentures shall all bear the same date and shall be issued within Two (2) years after the day on which this by-law is passed and may bear any date within such Two (2) years, and shall be payable in Fifteen (15) annual instalments during the Fifteen (15) years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as set forth in Schedule "A" hereto annexed, which is hereby declared to be and form part of this by-law.

3. The debentures shall be payable both as to principal and interest in Canadian currency at the principal office of the Canadian Bank of Commerce at Montreal, Toronto, or Ford City, Ontario.

4. The Mayor of the Corporation shall sign and issue the debentures and the debentures and interest coupons shall be signed by the Treasurer and the debentures shall be sealed with the Seal of the Corporation. The signature of the Treasurer upon the coupons may be written, stamped, lithographed or engraved.

5. During the Fifteen (15) years the currency of the debentures, the sum of $2,098.71 shall be raised annually for the payment of the debt and interest as follows: The sum of $962.14 shall be raised annually for the payment of the Corporation's portion of the cost and interest thereon and shall be levied and raised annually by a special rate sufficient therefor over and above all other rates on all the rateable property in the Municipality at the same time and in the same manner as other rates. For the payment of the owners' portion of the cost and interest thereon, after deducting any sums received by the Municipality by way of commutation of special rates, and the interest thereon, the special assessments set forth in the Special Assessment Roll prepared in respect of the said work are hereby imposed upon the land liable therefor as therein set forth, which said Special Assessments with a sum to cover interest thereon at the rate aforesaid shall be payable in Fifteen (15) annual instalments of $1,136.57 each and for that purpose the respective special annual rates per foot frontage set forth in the said Special Assessment Roll are hereby imposed upon the lots set forth in the said Special Assessment Roll for the said work according to the assessed frontage thereof over and above all other rates and taxes which said special rates shall be collected annually by the Collector of Taxes for the Corporation at the same time and in the same manner as other rates.

6. The Debentures may contain any clause providing for the registration thereof authorized by any Statute relating to Municipal debentures in force at the time of the issue thereof.

7. The amount of the loan authorized by this By-law may be consolidated with the amount of any loans authorized by other local improvement by-laws, by including the same with such other loans in a Consolidating By-law authorizing the borrowing of the aggregate amount thereof in one loan, and the issue of debentures for such loan in one consecutive issue pursuant to the provisions of the Statute in that behalf.

8. This By-law shall take effect on the day of the final passing thereof.

Finally passed this 31st day of January, A.D. 1928.

HARRY A. DROUILLARD,
Mayor.

C. J. MCHUGH,
Clerk.

Schedule One (1) to
By-law Number 260 "D."

Year	Principal	Interest	Equal Annual Payment
1	$ 940 08	$ 1,158 63	$ 2,098 71
2	991 79	1,106 92	2,098 71
3	1,046 34	1,052 37	2,098 71
4	1,103 88	994 83	2,098 71
5	1,164 60	934 11	2,098 71
6	1,228 65	870 06	2,098 71
7	1,296 23	802 48	2,098 71
8	1,367 52	731 19	2,098 71
9	1,442 73	655 98	2,098 71
10	1,522 08	576 63	2,098 71
11	1,605 80	492 91	2,098 71
12	1,694 12	404 59	2,098 71
13	1,787 29	311 42	2,098 71
14	1,885 59	213 12	2,098 71
15	1,989 30	109 41	2,098 71
	$ 21,066 00	$ 10,414 65	$ 31,480 65

Ontario,
18 George V, 1928.

BILL.

An Act respecting the Town of Riverside.

1st Reading

February 23rd, 1928.

2nd Reading

3rd Reading

MR. POISSON.

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 32. 1928.

BILL

An Act respecting the Township of North York.

Preamble.

WHEREAS the corporation of the township of North York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Township of North York Act, 1928*.

By-law No. 434, borrowing $3,415 for certain water mains in Water Area No. 3, confirmed.

2. By-law Number 434 of the township of North York, passed by the council on the 28th day of February, 1927, to authorize the borrowing of $3,415 upon debentures to pay for the construction of certain watermains in Water Area Number Three of the said township, is hereby confirmed and declared to be legal, valid and binding upon the corporation of the township of North York and upon the property liable for any rate or assessment imposed by or under the authority of the said by-law.

By-law No. 435, borrowing $7,410 for certain water mains in Water Area No. 4, confirmed.

3. By-law Number 435 of the township of North York, passed by the council on the 28th day of February, 1927, to authorize the borrowing of $7,410 on debentures to pay for the construction of certain watermains in Water Area Number Four of the said township, is hereby confirmed and declared to be legal, valid and binding upon the corporation of the township of North York and upon the property liable for any rate or assessment imposed by or under the authority of the said by-law.

By-law No. 520, borrowing $17,525 for construction of bridge, confirmed.

4. By-law Number 520 of the township of North York, passed by the council on the 16th day of January, 1928, to authorize the borrowing of $17,525 upon debentures to pay for the construction of a bridge on Donino Avenue in the said township of North York, is hereby confirmed and declared to be legal, valid and binding upon the corporation of the

township of North York and upon the property liable for any rate or assessment imposed by or under the authority of the said by-law.

By-law No. 521, re opening of certain streets, confirmed.

5. By-law Number 521 of the township of North York, passed by the council on the 16th day of January, 1928, to authorize the borrowing of $10,230.90 upon debentures to pay for the opening of certain streets in the township of North York, is hereby confirmed and declared to be legal, valid and binding upon the corporation of the township of North York, and upon the property liable for any rate or assessment imposed by or under the authority of the said by-law.

Agreements between Township and Armour Estates, Ltd., confirmed.

6. The agreements made between Armour Estates, Limited, and the Corporation of the township of North York on the 21st day of May, 1927, 17th October, 1927, and the 5th December, 1927, and set out in Schedules "A," "B," and "C," hereto, are hereby confirmed and declared to be legal, valid and binding upon Armour Estates, Limited, and the corporation of the township of North York.

Expropriation of land necessary for construction of certain works.

7. The council of the corporation of the township of North York may pass by-laws to expropriate any land or lands or easements required for the construction of the works referred to in the agreements mentioned in the next preceding section and may take all other proceedings necessary for the due performance of the said agreements.

Enlargement of Water Area No. 1.

8.—(1) The council of the corporation of the township of North York may, from time to time, pass by-laws to enlarge or alter the boundaries of Water Area Number One of the said township.

Force of By-law and levy of special rates.

(2) Any by-law passed under subsection 1 hereof shall come into force on the 31st day of December in the year in which such by-law was passed, and thereafter any special rate or assessment to be levied upon the rateable property in said Water Area Number One shall be levied on all the rateable property in said Water Area Number One as so enlarged or altered, whether the by-law under which such rate or assessments is imposed was passed before or after the passing of the by-law enlarging or altering such water area.

Special assessment on whole township to be levied on Water Area.

(3) From and after the date on which any by-law passed under the provisions of subsection 1 hereof comes into force, the special assessment imposed on the whole rateable property in the municipality to pay any portion of the cost of any watermain theretofore constructed on any street in any portion of the township of North York added by such by-law to said Water Area Number One shall be levied and imposed

on the whole rateable property in said Water Area Number One as from time to time enlarged or altered.

9. Subsection 2 of section 6 of *The Township of North York Act, 1925* (15 George V, Chapter 120) is hereby repealed and the following subsection substituted therefor:— 1925, c. 120, s. 6, subs. 2, repealed.

(2) Where a poll is required there shall be prepared one set of ballot papers for all polling subdivisions containing the names of the candidates for Reeve; another set of ballot papers for each Ward containing the names of the candidates for Deputy-Reeve for the Ward; and another set of ballot papers for Ward Two containing the names of the candidates for Councillor for that Ward. The form of the ballot paper shall *mutatis mutandis* be according to Form Three set out in *The Municipal Act*. Form of ballot papers.

10. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

SCHEDULE "A."

THIS AGREEMENT made in duplicate this 21st day of May, A.D. 1927.

BETWEEN:

ARMOUR ESTATES LIMITED,

hereinafter called the COMPANY

OF THE FIRST PART:

—and—

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK,

hereinafter called the CORPORATION,

OF THE SECOND PART:

WHEREAS the Company is the owner of all or most of the lands in the Township of North York laid out by Plans Numbers 1841, 2395 and 2430 filed in the Registry Office for the Registry Division of the East and West Riding of the County of York;

AND WHEREAS the said Company is desirous of constructing a sewage disposal plant and a system of sewers of sufficient capacity to adequately serve the buildings that are now or may hereafter be erected on the lands laid out by the said Plans Numbers 1841, 2395 and 2430.

AND WHEREAS the said Company has offered to construct such sewage disposal plant and system of sewers at its own expense and has agreed that such sewage disposal plant and system of sewers shall be constructed in accordance with plans, profiles and specifications satisfactory to the Engineer of the Corporation hereinafter called the "Engineer" and under the supervision of such Engineer;

AND WHEREAS the said Company has applied to the said Corporation for permission to construct such sewage disposal plant and to enter upon the streets laid out by the said Plans Numbers 1841, 2395 and 2430, and to construct on such streets the system of sewers hereinbefore mentioned.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and of the covenants and conditions herein agreed to and the sum of One Dollar now paid by the said Corporation to the said Company as follows:—

1. That the Company will forthwith after the execution of this agreement prepare or cause to be prepared and submit or cause to be submitted to the Engineer, such plans, profiles, specifications and other particulars and information as the Engineer may require of a sewage disposal plant and a system of sewers of sufficient capacity to adequately serve the buildings now erected or which may hereafter be erected on the lands laid out by the said Plans Numbers 1841, 2395 and 2430.

2. The Company shall not commence the construction of any of the works referred to in this agreement until the plans, profiles and specifications thereof have been approved by the Engineer and such approval has been reported to and has been accepted by the Council of the said Corporation.

3. The Company before commencing the construction of any of the works referred to in this agreement shall at its own expenses, secure the approval of the Minister of Health, or the Department of Health and the Board of Health of the Township of North York, and of any other authority or person whose consent is necessary to the plans, profiles and specifications of such works and of the location of any sewage disposal plant to be constructed under the provisions of this agreement and shall before the commencement of the construction of such works, file with the Clerk of the Corporation, certificates from the Minister of Health or the Depart-

ment of Health and the Board of Health of the Township of North York and any other authority whose approval or consent is required, showing that such approval or consent has been obtained.

4. The Corporation, upon the approval by the Engineer of the plans, profiles and specifications and upon the Company filing with the Clerk the certificates referred to in the next preceding paragraph hereof, will grant to the Company permission to enter upon the streets laid out by the said Plans Numbers 1841, 2395 and 2430, and to construct and lay down a system of sewers of sufficient capacity to adequately serve the buildings now erected or which may hereafter be erected on the lands laid out by the said Plans Numbers 1841, 2395 and 2430, and the Corporation will further grant permission to the Company to construct and erect a suitable sewage disposal plant of sufficient capacity to adequately serve such buildings at the location indicated on the copy of said Plan Number 1841 hereto attached, or at such other location as may be agreed upon by the Company and the Corporation with the approval of the Minister of Health or the Department of Health, and the Board of Health of the Township of North York, and of any other authority whose approval is necessary for the construction of such sewage disposal plant.

5. The Company hereby covenants to indemnify and save harmless the Corporation of and from all actions, causes of action, claims and demands of any kind whatsoever for compensation or damages to persons or property arising directly or indirectly from the construction of such sewage disposal plant and sewers on any street under the provisions of this agreement or from the operation and maintenance of such plant or sewers and before commencing the construction of any work hereunder will deposit with the Clerk of the said Corporation the bond of a surety Company whose bonds are acceptable as security in the Courts of the Province of Ontario in the amount of $100,000.00 and in a form approved by the Solicitor for the Corporation guaranteeing the completion of all the works referred to in this agreement in accordance with the provisions of this agreement and further guaranteeing the payment by the Company to the Corporation of all amounts for which the Company may be or become liable to the Corporation hereunder.

6. The Company shall within two months after receiving the necessary permission from the Corporation proceed with the erection and construction of sewage disposal plant of sufficient capacity to adequately serve the buildings now erected or which may hereafter be erected on the lands laid out by the said Plans Numbers 1841, 2395 and 2430, and to construct and lay down sewers on the streets shown on the said plans and the Company shall at its own expense and without unnecessary delay complete the construction of the said sewage disposal plant and sewers in accordance with the plans, profiles and specifications submitted to and approved by the Engineer under the provisions of this agreement.

7. The Company shall completely erect, construct and lay down all the works referred to in this agreement including the sewage disposal plant and sewers on all the streets shown on the said Plans Numbers 1841, 2395 and 2430, in accordance with the provisions of this agreement within three years after the commencement of the construction of the said works.

8. In the event of the Company failing to commence the construction of such sewage disposal plant and sewers within two months after receiving the necessary permission from the Corporation this agreement shall be void, unless the Council of the Corporation shall have extended the time for the commencement of the construction of such works and in the event of such extension of time being granted by the Council this agreement shall be void, unless the construction of such works is commenced within the extended time allowed by the Council of the said Corporation.

9. All the works referred to in this agreement shall be constructed by the Company under the supervision of the Engineer and during the construction of such works the Engineer may, if he deems it advisable employ an Inspector to oversee the construction of such works and the Company

shall repay to the Corporation any amount paid by the Corporation for the salary and expenses of such Inspector. Such Inspector shall be a person not in the employ of the Company or of any contractor constructing such works on behalf of the Company.

10. When the said works are completed of sufficient capacity to adequately serve the buildings now erected or hereafter to be erected upon the lands laid out by the said Plans Numbers 1841, 2395 and 2430, and the Engineer having approved of the same, and all and every claim for damage or compensation having been settled by the Company the Corporation shall take over the said sewers and said disposal plant and shall be responsible for the further operation, maintenance, extension and development thereof.

11. It is further agreed by and between the Company and the Corporation that the said works shall when taken over by the Corporation be absolutely free from every encumbrance of any kind whatsoever except the cost of the future operation, maintenance, extension and repair of the said sewers and sewage disposal plant, And it is further agreed that the cost of the operation, maintenance, extension and repair of the said sewers and sewage disposal plant may be levied by a special rate on all the rateable property on the said Plans Numbers 1841, 2395 and 2430, and that the lands laid out by the said Plans shall be deemed to be a Sewerage System Area under the provisions of the Township of North York Act, 1926, over which the said special rate may be imposed and levied.

12. Until the said sewage disposal plant and system of sewers shall have been taken over by the Corporation the Company shall operate the said sewage disposal plant in such manner as to cause the least possible annoyance and damage to the owners and occupants of lands in the vicinity of such sewage disposal plant and shall keep the sewers constructed under the provisions of this agreement open and free from all obstruction whatsoever.

13. It is understood that the said sewage disposal plant shall be an activated sludge plant of the most modern type and so constructed that there shall be no offensive odours arising from it.

14. The Company shall further pay to the Corporation the usual fees charged by the Engineer for approving the plans, profiles and specifications and supervising the work and also shall pay all legal expenses that may be incurred in connection with the preparation of this agreement and the carrying out of the provisions hereof and in the event of it being necessary to secure legislation for the purpose of validating this agreement or any proceeding taken hereunder the Company shall pay to the Corporation all expenses incurred by the Corporation in procuring such legislation.

15. It is expressly understood and agreed by and between the Company and the Corporation that all sewers constructed under the provisions of this agreement shall be used exclusively for the purpose of carrying sewage and roof and cellar drainage from the buildings now erected or which may hereafter be erected on the lands laid out by said Plans Numbers 1841, 2395 and 2430 and shall not be used as storm sewers or for the purpose of surface drainage.

16. It is further understood and agreed by and between the Company and the Corporation that the Corporation shall not be under any obligation to take over the works referred to in this agreement until it is absolutely satisfied that the said works are completed in a proper and workmanlike manner and in accordance with the provisions of this agreement and form a system of sufficient capacity to adequately serve the buildings now erected or which may hereafter be erected upon the lands laid out by the said Plans Numbers 1841, 2395 and 2430, and to properly dispose of all sewage that may arise from such buildings.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their Corporate Seals under the hands of the proper officers in that behalf.

[SEAL]

SIGNED, SEALED AND DELIVERED
In the presence of:

Armour Estates Limited.
K. F. MacLaren, President.
Frederick Nelson, Secretary-Treasurer.

TOWNSHIP OF NORTH YORK [SEAL]
Wm. W. Anderson, Reeve.
H. D. Goode, Clerk.

SCHEDULE "B."

THIS AGREEMENT made in duplicate the seventeenth day of October, 1927;

BETWEEN:

ARMOUR ESTATES LIMITED,

hereinafter called the Company

OF THE FIRST PART,

—and—

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK,

hereinafter called the Corporation

OF THE SECOND PART.

WHEREAS by an agreement bearing date the 21st day of May, 1927, the Company agreed to erect, construct and lay down a sewage disposal plant and a system of sewers for the purpose of serving the lands laid out by Plan Numbers 1841, 2395 and 2430, filed in the Registry Office for the Registry Division of the East and West Riding of the County of York;

AND WHEREAS for the purpose of completing the said sewage disposal plant it is necessary to construct an out-fall sewer from the said plant to the west branch of the River Don;

AND WHEREAS the Company has been unable to secure the necessary easement under or through the lands between the proposed location of the said plant and the west branch of the River Don for the purpose of constructing the said out-fall sewer and has requested the Corporation to secure the said easement;

AND WHEREAS the Corporation has agreed to secure such easement upon the terms and conditions herein set out; NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and of the covenants and conditions herein agreed to and the sum of One Dollar, now paid by the said Corporation to the said Company, as follows:—

1. The Company will forthwith after the execution of this agreement comply with all the conditions set out in the said agreement bearing date the 21st day of May, 1927, precedent to the construction of the said sewage disposal plant referred to in the said agreement and will proceed with the construction of the said plant;

2. The Corporation will at the expense of the Company and without unnecessary delay after the completion of the said sewage disposal plant, except as to said out-fall sewer, secure the necessary easement through or

under the lands lying between the proposed location of the said plant and the west branch of the Don River for the purpose of constructing and maintaining the out-fall sewer required to carry the effluent from such sewage disposal plant to the said west branch of the Don River.

3. Such out-fall sewer shall be placed in the location in which it may be most economically constructed. The Engineer of the Corporation shall, subject to the approval of the Minister of Health or the Department of Health and the Board of Health of the Township of North York determine the exact location of such out-fall sewer and in determining such location, the Engineer shall take into consideration the cost of acquiring the necessary easement as well as the actual cost of constructing the said out-fall sewer, and any other factor which the said Engineer may consider necessary.

4. The Company will forthwith after the Corporation has secured the necessary easement, construct the said out-fall sewer in accordance with the provisions, terms and conditions of the said agreement dated the 21st day of May, 1927, unless the Corporation shall deem it expedient to take over the said sewage disposal plant when complete, except as to said out-fall sewer and to have said out-fall sewer constructed by the Corporation at the expense of the Company.

5. (1) In the event of the Corporation deeming it advisable so to do the said Corporation may take over the said sewage disposal plant from the Company when the same is complete, except as to such out-fall sewer, and may construct the said out-fall sewer as an undertaking of the said Corporation, but at the expense of the Company. Before commencing the construction of the said out-fall sewer the Corporation shall submit to the Company a copy of the Engineer's report showing the estimated cost of the construction of such out-fall sewer.

(2) In the event of the Corporation deeming the estimated cost as shown by the Engineer's report excessive, the Corporation will let a contract for the construction of such out-fall sewer to the Company on such terms and conditions as may then be agreed upon.

6. The Company shall pay to the Corporation on demand all sums of money that the Corporation may expend for compensation, damages, costs or for any other matter or thing whatsoever in connection with the acquisition of the easement necessary for the construction of such out-fall sewer and in the event of the Corporation constructing such out-fall sewer, shall repay to the Corporation the total cost of the construction of such out-fall sewer.

7. The certificate of the Engineer of the Corporation as to the cost of the construction of such out-fall sewer shall be final and conclusive evidence of the amount of such cost, and the certificate of the Treasurer as to any other sum of money due by the Company to the Corporation shall be final and conclusive evidence of the amount of such sum.

8. The Company shall indemnify and save harmless the Corporation of and from all actions, causes of action, claims and demands of any kind whatsoever arising out of this agreement to the same extent as the Company is obligated to indemnify the Corporation against actions, causes of action, claims and demands arising out of the said agreement dated the 21st day of May, 1927, and the bond given by the Company to the Corporation under the provisions of the said agreement shall be so drawn that it guarantees payment to the Corporation of any sum becoming due to the Corporation under this agreement in addition to any sums becoming due under the said agreement dated the 21st day of May, 1927.

9. In the event of the Corporation deeming it necessary to secure legislation for the purpose of validating this agreement or any proceeding taken thereunder, the Company shall pay to the Corporation all expense incurred by the Corporation in procuring such legislation.

10. It is expressly understood and agreed by and between the Company and the Corporation that except as herein expressly provided nothing

herein contained shall be deemed to relieve the Company from the obligation to construct and complete the sewage disposal plant and the system of sewers referred to in the said agreement dated the 21st day of May, 1927, in accordance with the provisions of the said agreement nor shall anything herein be construed as relieving the Company from any other obligation whatsoever contained in the said agreement; and it is hereby declared that notwithstanding anything herein contained it is the intention of the Company and the Corporation that the Company shall bear the total cost of the construction and erection of the sewage disposal plant and system of sewers referred to in the said agreement dated the 21st day of May, 1927, and that the Corporation shall not bear any portion of the cost of the construction of such sewage disposal plant and system of sewers.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals under the hands of the proper officers in that behalf.

SIGNED, SEALED AND DELIVERED	ARMOUR ESTATES LIMITED,	
	ROBT. M. YEOMANS, Vice-President.	[SEAL]
In the presence of:	FREDERICK NELSON, Secretary-Treasurer.	
	TOWNSHIP OF NORTH YORK,	
	WM. W. ANDERSON, Reeve.	[SEAL]
	H. D. GOODE, Clerk.	

SCHEDULE "C."

THIS AGREEMENT made in duplicate the Fifth day of December, One Thousand nine hundred and twenty-seven;

BETWEEN

ARMOUR ESTATES LIMITED

hereinafter called the Company

OF THE FIRST PART,

—and—

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK,

hereinafter called the Corporation

OF THE SECOND PART.

WHEREAS the Company and the Corporation have entered into two agreements bearing date the twenty-first day of May, 1927, and the seventeenth day of October, 1927, hereinafter called the Agreements (copies of which are hereto attached) regarding the construction of a sewage disposal plant and a system of sewers to serve the lands laid out by Plans Numbers 1841, 2395 and 2430 filed in the Registry Office for the Registry Division of the East and West Riding of the County of York;

And whereas under the terms of the Agreements the Company was to furnish the Corporation with a Bond in the sum of One hundred thousand dollars ($100,000.00) guaranteeing the due performance by the Company of the Agreements;

And whereas the Company has found it difficult to secure a Bond for One hundred thousand dollars in accordance with the terms of the Agreements, and has requested the Corporation to accept the three Bonds for

Twenty thousand dollars, Thirty thousand dollars and Fifty thousand dollars respectively hereinafter provided for in lieu of the said Bond for One hundred thousand dollars, and the Corporation has agreed to comply with such request;

Therefore this Agreement witnesseth that in consideration of the premises and the covenants herein contained and the sum of One dollar now paid by the Corporation to the Company it is agreed by and between the Company and the Corporation as follows:—

1. In lieu of the Bond in the sum of One hundred thousand dollars referred to in the Agreements the Company will furnish to the Corporation the following Bonds of a Surety Company, whose bonds are accepted by the courts of Ontario as security:—

(a) A bond in the sum of Twenty thousand dollars guaranteeing that the Company will indemnify and save harmless and keep indemnified and saved harmless the Corporation of and from all actions, causes of action, claims or demands of any kind whatsoever arising directly or indirectly from injuries to persons or property resulting from the construction of any of the work referred to in the Agreements on any street, highway, lane or other lands owned or controlled by the Corporation.

(b) A bond in the sum of Thirty thousand dollars guaranteeing the due performance by the Company of the work referred to in the Agreements.

(c) A bond in the sum of Fifty thousand dollars guaranteeing that the Company will indemnify and save harmless and keep indemnified and saved harmless the Corporation of and from all actions, causes of actions, claims or demands of any kind whatsoever arising directly or indirectly out of the construction and maintenance of the work referred to in the Agreements, and which said actions, causes of actions, claims or demands are not specifically covered by the Bonds for Twenty thousand dollars and Thirty thousand dollars hereinbefore provided for, and also guaranteeing payment by the Company to the Corporation of any sum or sums of money to which the Corporation may become entitled by virtue of the Agreements or either of them, and which said sums of money are not specifically covered by the said Bonds for Twenty thousand dollars and Thirty thousand dollars.

The said Bonds shall be in a form approved of by the Solicitors for the Corporation.

2. The Corporation will accept the Bonds referred to in Paragraph One hereof in lieu of the Bond for One hundred thousand dollars referred to in the Agreements.

3. It is expressly understood and agreed by and between the Company and the Corporation that nothing herein contained shall in any way limit or restrict the obligation of the Company to completely perform the Agreements and to indemnify and save harmless and keep indemnified and saved harmless the Corporation of and from all actions, causes of action, claims or demands of any kind whatsoever resulting directly or indirectly from the construction and operation of the works referred to in the Agreements.

In witness whereof the parties hereto have hereunto affixed their corporate seals under the hands of the proper officers in that behalf.

SIGNED, SEALED AND DELIVERED in the presence of:

TOWNSHIP OF NORTH YORK.
WM. W. ANDERSON, *Reeve.*
H. D. GOODE, *Clerk.*
(SEAL)

ARMOUR ESTATES, LIMITED.
K. F. MACLAREN, *President.*
FREDERICK NELSON, *Secretary.*
[SEAL]

No. 32.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting the Township of North York.

1st	Reading,	1928.
2nd	Reading,	1928.
3rd	Reading,	1928.

(*Private Bill.*)

MR. MACAULAY.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 32. 1928.

BILL

An Act respecting the Township of North York.

Preamble.

WHEREAS the corporation of the township of North York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Township of North York Act, 1928*.

By-law No. 434, borrowing $3,415 for certain water mains in Water Area No. 3, confirmed.

2. By-law Number 434 of the township of North York, passed by the council on the 28th day of February, 1927, to authorize the borrowing of $3,415 upon debentures to pay for the construction of certain watermains in Water Area Number Three of the said township, is hereby confirmed and declared to be legal, valid and binding upon the corporation of the township of North York and upon the property liable for any rate or assessment imposed by or under the authority of the said by-law.

By-law No. 435, borrowing $7,410 for certain water mains in Water Area No. 4, confirmed.

3. By-law Number 435 of the township of North York, passed by the council on the 28th day of February, 1927, to authorize the borrowing of $7,410 on debentures to pay for the construction of certain watermains in Water Area Number Four of the said township, is hereby confirmed and declared to be legal, valid and binding upon the corporation of the township of North York and upon the property liable for any rate or assessment imposed by or under the authority of the said by-law.

By-law No. 520, borrowing $17,525 for construction of bridge, confirmed.

4. By-law Number 520 of the township of North York, passed by the council on the 16th day of January, 1928, to authorize the borrowing of $17,525 upon debentures to pay for the construction of a bridge on Donino Avenue in the said township of North York, is hereby confirmed and declared to be legal, valid and binding upon the corporation of the

SCHEDULE "A."

THIS AGREEMENT made in duplicate this 21st day of May, A.D. 1927.

BETWEEN:

ARMOUR ESTATES LIMITED,

hereinafter called the COMPANY

OF THE FIRST PART:

—and—

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK,

hereinafter called the CORPORATION,

OF THE SECOND PART:

WHEREAS the Company is the owner of all or most of the lands in the Township of North York laid out by Plans Numbers 1841, 2395 and 2430 filed in the Registry Office for the Registry Division of the East and West Riding of the County of York;

AND WHEREAS the said Company is desirous of constructing a sewage disposal plant and a system of sewers of sufficient capacity to adequately serve the buildings that are now or may hereafter be erected on the lands laid out by the said Plans Numbers 1841, 2395 and 2430.

AND WHEREAS the said Company has offered to construct such sewage disposal plant and system of sewers at its own expense and has agreed that such sewage disposal plant and system of sewers shall be constructed in accordance with plans, profiles and specifications satisfactory to the Engineer of the Corporation hereinafter called the "Engineer" and under the supervision of such Engineer;

AND WHEREAS the said Company has applied to the said Corporation for permission to construct such sewage disposal plant and to enter upon the streets laid out by the said Plans Numbers 1841, 2395 and 2430, and to construct on such streets the system of sewers hereinbefore mentioned.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and of the covenants and conditions herein agreed to and the sum of One Dollar now paid by the said Corporation to the said Company as follows:—

1. That the Company will forthwith after the execution of this agreement prepare or cause to be prepared and submit or cause to be submitted to the Engineer, such plans, profiles, specifications and other particulars and information as the Engineer may require of a sewage disposal plant and a system of sewers of sufficient capacity to adequately serve the buildings now erected or which may hereafter be erected on the lands laid out by the said Plans Numbers 1841, 2395 and 2430.

2. The Company shall not commence the construction of any of the works referred to in this agreement until the plans, profiles and specifications thereof have been approved by the Engineer and such approval has been reported to and has been accepted by the Council of the said Corporation.

3. The Company before commencing the construction of any of the works referred to in this agreement shall at its own expenses, secure the approval of the Minister of Health, or the Department of Health and the Board of Health of the Township of North York, and of any other authority or person whose consent is necessary to the plans, profiles and specifications of such works and of the location of any sewage disposal plant to be constructed under the provisions of this agreement and shall before the commencement of the construction of such works, file with the Clerk of the Corporation, certificates from the Minister of Health or the Depart-

ment of Health and the Board of Health of the Township of North York and any other authority whose approval or consent is required, showing that such approval or consent has been obtained.

4. The Corporation, upon the approval by the Engineer of the plans, profiles and specifications and upon the Company filing with the Clerk the certificates referred to in the next preceding paragraph hereof, will grant to the Company permission to enter upon the streets laid out by the said Plans Numbers 1841, 2395 and 2430, and to construct and lay down a system of sewers of sufficient capacity to adequately serve the buildings now erected or which may hereafter be erected on the lands laid out by the said Plans Numbers 1841, 2395 and 2430, and the Corporation will further grant permission to the Company to construct and erect a suitable sewage disposal plant of sufficient capacity to adequately serve such buildings at the location indicated on the copy of said Plan Number 1841 hereto attached, or at such other location as may be agreed upon by the Company and the Corporation with the approval of the Minister of Health or the Department of Health, and the Board of Health of the Township of North York, and of any other authority whose approval is necessary for the construction of such sewage disposal plant.

5. The Company hereby covenants to indemnify and save harmless the Corporation of and from all actions, causes of action, claims and demands of any kind whatsoever for compensation or damages to persons or property arising directly or indirectly from the construction of such sewage disposal plant and sewers on any street under the provisions of this agreement or from the operation and maintenance of such plant or sewers and before commencing the construction of any work hereunder will deposit with the Clerk of the said Corporation the bond of a surety Company whose bonds are acceptable as security in the Courts of the Province of Ontario in the amount of $100,000.00 and in a form approved by the Solicitor for the Corporation guaranteeing the completion of all the works referred to in this agreement in accordance with the provisions of this agreement and further guaranteeing the payment by the Company to the Corporation of all amounts for which the Company may be or become liable to the Corporation hereunder.

6. The Company shall within two months after receiving the necessary permission from the Corporation proceed with the erection and construction of sewage disposal plant of sufficient capacity to adequately serve the buildings now erected or which may hereafter be erected on the lands laid out by the said Plans Numbers 1841, 2395 and 2430, and to construct and lay down sewers on the streets shown on the said plans and the Company shall at its own expense and without unnecessary delay complete the construction of the said sewage disposal plant and sewers in accordance with the plans, profiles and specifications submitted to and approved by the Engineer under the provisions of this agreement.

7. The Company shall completely erect, construct and lay down all the works referred to in this agreement including the sewage disposal plant and sewers on all the streets shown on the said Plans Numbers 1841, 2395 and 2430, in accordance with the provisions of this agreement within three years after the commencement of the construction of the said works.

8. In the event of the Company failing to commence the construction of such sewage disposal plant and sewers within two months after receiving the necessary permission from the Corporation this agreement shall be void, unless the Council of the Corporation shall have extended the time for the commencement of the construction of such works and in the event of such extension of time being granted by the Council this agreement shall be void, unless the construction of such works is commenced within the extended time allowed by the Council of the said Corporation.

9. All the works referred to in this agreement shall be constructed by the Company under the supervision of the Engineer and during the construction of such works the Engineer may, if he deems it advisable employ an Inspector to oversee the construction of such works and the Company

shall repay to the Corporation any amount paid by the Corporation for the salary and expenses of such Inspector. Such Inspector shall be a person not in the employ of the Company or of any contractor constructing such works on behalf of the Company.

10. When the said works are completed of sufficient capacity to adequately serve the buildings now erected or hereafter to be erected upon the lands laid out by the said Plans Numbers 1841, 2395 and 2430, and the Engineer having approved of the same, and all and every claim for damage or compensation having been settled by the Company the Corporation shall take over the said sewers and said disposal plant and shall be responsible for the further operation, maintenance, extension and development thereof.

11. It is further agreed by and between the Company and the Corporation that the said works shall when taken over by the Corporation be absolutely free from every encumbrance of any kind whatsoever except the cost of the future operation, maintenance, extension and repair of the said sewers and sewage disposal plant, And it is further agreed that the cost of the operation, maintenance, extension and repair of the said sewers and sewage disposal plant may be levied by a special rate on all the rateable property on the said Plans Numbers 1841, 2395 and 2430, and that the lands laid out by the said Plans shall be deemed to be a Sewerage System Area under the provisions of the Township of North York Act, 1926, over which the said special rate may be imposed and levied.

12. Until the said sewage disposal plant and system of sewers shall have been taken over by the Corporation the Company shall operate the said sewage disposal plant in such manner as to cause the least possible annoyance and damage to the owners and occupants of lands in the vicinity of such sewage disposal plant and shall keep the sewers constructed under the provisions of this agreement open and free from all obstruction whatsoever.

13. It is understood that the said sewage disposal plant shall be an activated sludge plant of the most modern type and so constructed that there shall be no offensive odours arising from it.

14. The Company shall further pay to the Corporation the usual fees charged by the Engineer for approving the plans, profiles and specifications and supervising the work and also shall pay all legal expenses that may be incurred in connection with the preparation of this agreement and the carrying out of the provisions hereof and in the event of it being necessary to secure legislation for the purpose of validating this agreement or any proceeding taken hereunder the Company shall pay to the Corporation all expenses incurred by the Corporation in procuring such legislation.

15. It is expressly understood and agreed by and between the Company and the Corporation that all sewers constructed under the provisions of this agreement shall be used exclusively for the purpose of carrying sewage and roof and cellar drainage from the buildings now erected or which may hereafter be erected on the lands laid out by said Plans Numbers 1841, 2395 and 2430 and shall not be used as storm sewers or for the purpose of surface drainage.

16. It is further understood and agreed by and between the Company and the Corporation that the Corporation shall not be under any obligation to take over the works referred to in this agreement until it is absolutely satisfied that the said works are completed in a proper and workmanlike manner and in accordance with the provisions of this agreement and form a system of sufficient capacity to adequately serve the buildings now erected or which may hereafter be erected upon the lands laid out by the said Plans Numbers 1841, 2395 and 2430, and to properly dispose of all sewage that may arise from such buildings.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their Corporate Seals under the hands of the proper officers in that behalf.

[SEAL]

SIGNED, SEALED AND DELIVERED
In the presence of:

Armour Estates Limited.
K. F. MacLaren, President.
Frederick Nelson, Secretary-Treasurer.

TOWNSHIP OF NORTH YORK [SEAL]
Wm. W. Anderson, Reeve.
H. D. Goode, Clerk.

SCHEDULE "B."

THIS AGREEMENT made in duplicate the seventeenth day of October, 1927;

BETWEEN:

ARMOUR ESTATES LIMITED,

hereinafter called the Company

OF THE FIRST PART,

—and—

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK,

hereinafter called the Corporation

OF THE SECOND PART.

WHEREAS by an agreement bearing date the 21st day of May, 1927, the Company agreed to erect, construct and lay down a sewage disposal plant and a system of sewers for the purpose of serving the lands laid out by Plan Numbers 1841, 2395 and 2430, filed in the Registry Office for the Registry Division of the East and West Riding of the County of York;

AND WHEREAS for the purpose of completing the said sewage disposal plant it is necessary to construct an out-fall sewer from the said plant to the west branch of the River Don;

AND WHEREAS the Company has been unable to secure the necessary easement under or through the lands between the proposed location of the said plant and the west branch of the River Don for the purpose of constructing the said out-fall sewer and has requested the Corporation to secure the said easement;

AND WHEREAS the Corporation has agreed to secure such easement upon the terms and conditions herein set out; NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and of the covenants and conditions herein agreed to and the sum of One Dollar, now paid by the said Corporation to the said Company, as follows:—

1. The Company will forthwith after the execution of this agreement comply with all the conditions set out in the said agreement bearing date the 21st day of May, 1927, precedent to the construction of the said sewage disposal plant referred to in the said agreement and will proceed with the construction of the said plant;

2. The Corporation will at the expense of the Company and without unnecessary delay after the completion of the said sewage disposal plant, except as to said out-fall sewer, secure the necessary easement through or

under the lands lying between the proposed location of the said plant and the west branch of the Don River for the purpose of constructing and maintaining the out-fall sewer required to carry the effluent from such sewage disposal plant to the said west branch of the Don River.

3. Such out-fall sewer shall be placed in the location in which it may be most economically constructed. The Engineer of the Corporation shall, subject to the approval of the Minister of Health or the Department of Health and the Board of Health of the Township of North York determine the exact location of such out-fall sewer and in determining such location, the Engineer shall take into consideration the cost of acquiring the necessary easement as well as the actual cost of constructing the said out-fall sewer, and any other factor which the said Engineer may consider necessary.

4. The Company will forthwith after the Corporation has secured the necessary easement, construct the said out-fall sewer in accordance with the provisions, terms and conditions of the said agreement dated the 21st day of May, 1927, unless the Corporation shall deem it expedient to take over the said sewage disposal plant when complete, except as to said out-fall sewer and to have said out-fall sewer constructed by the Corporation at the expense of the Company.

5. (1) In the event of the Corporation deeming it advisable so to do the said Corporation may take over the said sewage disposal plant from the Company when the same is complete, except as to such out-fall sewer, and may construct the said out-fall sewer as an undertaking of the said Corporation, but at the expense of the Company. Before commencing the construction of the said out-fall sewer the Corporation shall submit to the Company a copy of the Engineer's report showing the estimated cost of the construction of such out-fall sewer.

(2) In the event of the Corporation deeming the estimated cost as shown by the Engineer's report excessive, the Corporation will let a contract for the construction of such out-fall sewer to the Company on such terms and conditions as may then be agreed upon.

6. The Company shall pay to the Corporation on demand all sums of money that the Corporation may expend for compensation, damages, costs or for any other matter or thing whatsoever in connection with the acquisition of the easement necessary for the construction of such out-fall sewer and in the event of the Corporation constructing such out-fall sewer, shall repay to the Corporation the total cost of the construction of such out-fall sewer.

7. The certificate of the Engineer of the Corporation as to the cost of the construction of such out-fall sewer shall be final and conclusive evidence of the amount of such cost, and the certificate of the Treasurer as to any other sum of money due by the Company to the Corporation shall be final and conclusive evidence of the amount of such sum.

8. The Company shall indemnify and save harmless the Corporation of and from all actions, causes of action, claims and demands of any kind whatsoever arising out of this agreement to the same extent as the Company is obligated to indemnify the Corporation against actions, causes of action, claims and demands arising out of the said agreement dated the 21st day of May, 1927, and the bond given by the Company to the Corporation under the provisions of the said agreement shall be so drawn that it guarantees payment to the Corporation of any sum becoming due to the Corporation under this agreement in addition to any sums becoming due under the said agreement dated the 21st day of May, 1927.

9. In the event of the Corporation deeming it necessary to secure legislation for the purpose of validating this agreement or any proceeding taken thereunder, the Company shall pay to the Corporation all expense incurred by the Corporation in procuring such legislation.

10. It is expressly understood and agreed by and between the Company and the Corporation that except as herein expressly provided nothing

herein contained shall be deemed to relieve the Company from the obligation to construct and complete the sewage disposal plant and the system of sewers referred to in the said agreement dated the 21st day of May, 1927, in accordance with the provisions of the said agreement nor shall anything herein be construed as relieving the Company from any other obligation whatsoever contained in the said agreement; and it is hereby declared that notwithstanding anything herein contained it is the intention of the Company and the Corporation that the Company shall bear the total cost of the construction and erection of the sewage disposal plant and system of sewers referred to in the said agreement dated the 21st day of May, 1927, and that the Corporation shall not bear any portion of the cost of the construction of such sewage disposal plant and system of sewers.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals under the hands of the proper officers in that behalf.

SIGNED, SEALED AND DELIVERED
In the presence of:

ARMOUR ESTATES LIMITED,
ROBT. M. YEOMANS, [SEAL]
Vice-President.
FREDERICK NELSON,
Secretary-Treasurer.

TOWNSHIP OF NORTH YORK,
WM. W. ANDERSON,
Reeve. [SEAL]
H. D. GOODE,
Clerk.

SCHEDULE "C."

THIS AGREEMENT made in duplicate the Fifth day of December, One Thousand nine hundred and twenty-seven;

BETWEEN

ARMOUR ESTATES LIMITED

hereinafter called the Company

OF THE FIRST PART,

—and—

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK,

hereinafter called the Corporation

OF THE SECOND PART.

WHEREAS the Company and the Corporation have entered into two agreements bearing date the twenty-first day of May, 1927, and the seventeenth day of October, 1927, hereinafter called the Agreements (copies of which are hereto attached) regarding the construction of a sewage disposal plant and a system of sewers to serve the lands laid out by Plans Numbers 1841, 2395 and 2430 filed in the Registry Office for the Registry Division of the East and West Riding of the County of York;

And whereas under the terms of the Agreements the Company was to furnish the Corporation with a Bond in the sum of One hundred thousand dollars ($100,000.00) guaranteeing the due performance by the Company of the Agreements;

And whereas the Company has found it difficult to secure a Bond for One hundred thousand dollars in accordance with the terms of the Agreements, and has requested the Corporation to accept the three Bonds for

Twenty thousand dollars, Thirty thousand dollars and Fifty thousand dollars respectively hereinafter provided for in lieu of the said Bond for One hundred thousand dollars, and the Corporation has agreed to comply with such request;

Therefore this Agreement witnesseth that in consideration of the premises and the covenants herein contained and the sum of One dollar now paid by the Corporation to the Company it is agreed by and between the Company and the Corporation as follows:—

1. In lieu of the Bond in the sum of One hundred thousand dollars referred to in the Agreements the Company will furnish to the Corporation the following Bonds of a Surety Company, whose bonds are accepted by the courts of Ontario as security:—

(a) A bond in the sum of Twenty thousand dollars guaranteeing that the Company will indemnify and save harmless and keep indemnified and saved harmless the Corporation of and from all actions, causes of action, claims or demands of any kind whatsoever arising directly or indirectly from injuries to persons or property resulting from the construction of any of the work referred to in the Agreements on any street, highway, lane or other lands owned or controlled by the Corporation.

(b) A bond in the sum of Thirty thousand dollars guaranteeing the due performance by the Company of the work referred to in the Agreements.

(c) A bond in the sum of Fifty thousand dollars guaranteeing that the Company will indemnify and save harmless and keep indemnified and saved harmless the Corporation of and from all actions, causes of actions, claims or demands of any kind whatsoever arising directly or indirectly out of the construction and maintenance of the work referred to in the Agreements, and which said actions, causes of actions, claims or demands are not specifically covered by the Bonds for Twenty thousand dollars and Thirty thousand dollars hereinbefore provided for, and also guaranteeing payment by the Company to the Corporation of any sum or sums of money to which the Corporation may become entitled by virtue of the Agreements or either of them, and which said sums of money are not specifically covered by the said Bonds for Twenty thousand dollars and Thirty thousand dollars.

The said Bonds shall be in a form approved of by the Solicitors for the Corporation.

2. The Corporation will accept the Bonds referred to in Paragraph One hereof in lieu of the Bond for One hundred thousand dollars referred to in the Agreements.

3. It is expressly understood and agreed by and between the Company and the Corporation that nothing herein contained shall in any way limit or restrict the obligation of the Company to completely perform the Agreements and to indemnify and save harmless and keep indemnified and saved harmless the Corporation of and from all actions, causes of action, claims or demands of any kind whatsoever resulting directly or indirectly from the construction and operation of the works referred to in the Agreements.

In witness whereof the parties hereto have hereunto affixed their corporate seals under the hands of the proper officers in that behalf.

SIGNED, SEALED AND DELIVERED
in the presence of:

TOWNSHIP OF NORTH YORK.
WM. W. ANDERSON, *Reeve.*
H. D. GOODE, *Clerk.*
(SEAL)

ARMOUR ESTATES, LIMITED.
K. F. MACLAREN, *President.*
FREDERICK NELSON, *Secretary.*
[SEAL]

Ontario.
18 George V, 1928.

BILL.

An Act respecting the Township of North York.

1st Reading,

February 14th, 1928.

2nd Reading,

3rd Reading

MR. MACAULAY.

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 33. 1928.

BILL

An Act to incorporate a part of the Township of Crowland as the Township of East Crowland.

Preamble.

WHEREAS George Richings, G. A. Biggar, Charles Awrey, W. B. Biggar and William S. H. MacDonagh, and other persons, inhabitants and ratepayers of that part of the township of Crowland in the county of Welland, lying north and east of a line hereinafter more particularly described, have by petition represented that the said part of the said township of Crowland is largely rural in character, and occupied almost altogether for farming purposes, while that part lying to the south and west of the said hereinafter more particularly described line, is almost entirely urban in its character and thickly populated, and requires a different municipal administration from that required by the northern and eastern part of the said township; and whereas in view of such conditions, the said petitioners have prayed that an Act be passed separating the said district lying north and east of the hereinafter more particularly described line, and incorporating it as the township of East Crowland; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Township of East Crowland Act, 1928*.

Question of separation—submission to electors.

2.—(1) It shall be the duty of the corporation of the township of Crowland within five weeks after the day on which this section comes into force to submit to the municipal electors in that part of the township of Crowland lying north and east of a line particularly described as follows: Commencing at the point where the northerly limit of the fourth concession of said township intersects the easterly margin of the Welland river; thence easterly along the northerly limit of said fourth concession to the line between township lots numbers 21 and 22 in said concession; thence southerly along said last mentioned line to the southerly boundary of lands included in a plan of Rosedale, registered in the Registry Office for said county as number 23 for said township; thence

westerly following the southerly limit of the lands in said plan number 23 to an angle in said lands; thence southerly along the easterly limit of the lands in said plan to an angle in said lands; thence westerly following the southerly limit of lands in said plan to an angle in said lands; thence southerly along the easterly limit of lands in said plan to the centre line of the allowance for road between the fourth and fifth concessions of said township; thence easterly along the centre line of the last mentioned road allowance to the northerly production of the easterly limit of township lot number 22 in said fifth concession; thence southerly to and along said last mentioned limit and its southerly production to the centre line of the allowance for road between concessions numbers 5 and 6; thence easterly along the centre line of the last mentioned road allowance to the northerly production of the centre line of the road allowance between township lots numbers 20 and 21 in said sixth concession; thence southerly to and along said last mentioned centre line to a point in the westerly production of the northerly limit of lands included in a plan of Iron City Addition, registered in the Registry Office for said county as plan number 26; thence easterly to and along said last mentioned limit to the line between township lots numbers 19 and 20 in the sixth concession of said township; thence southerly along said last mentioned line and its southerly production to the centre line of Lyons creek; thence southwesterly along the centre line of Lyons creek to the town line road between the townships of Crowland and Humberstone, the following question,

> "Are you in favour of the incorporation of the eastern and northern part of the township of Crowland as set out in the Act of the Legislature of Ontario passed in 1928, as the township of East Crowland?"

Polling subdivisions.

(2) The polling subdivisions shall be the same, as nearly as may be, as at the last municipal election, and that part of any polling subdivision which lies north and east of the line hereinbefore particularly described shall for the purpose of the vote be deemed a polling subdivision, and when a polling subdivision is so divided, the clerk of the township shall strike off the list the names of all voters not qualified to vote in that part of the polling subdivision lying north and east of such hereinbefore described line. The clerk of the township of Crowland shall be the returning officer for the taking of the said vote and the voters' list for the year 1927 as finally revised shall be the list used in the preparation of the voters' list for the taking of the said vote.

Application of Rev. Stat. c. 233.

(3) The provisions of *The Municipal Act* shall apply to the taking of the said vote.

(4) This section shall come into force on the day upon which this Act receives the Royal Assent. Commencement of section.

3. If a majority of those voting vote in the affirmative in answer to the question submitted according to the declaration of the result by the clerk of the township of Crowland, the following sections of this Act shall come into force on the day following such declaration. The declaration shall be made not later than noon of the Tuesday following the taking of the said vote. Declaration of result of vote upon question.

4. The inhabitants of that part of the township of Crowland lying east and north of the hereinbefore particularly described line are hereby constituted a corporation or body politic, separate and apart from the township of Crowland under the name of the "Corporation of the Township of East Crowland" and as such shall enjoy all the rights and privileges and be subject to all the duties and liabilities appertaining to incorporated townships, and the said part of the township of Crowland lying north and east of the hereinbefore particularly described line is hereby detached from the township of Crowland and shall form a separate and independent township. Incorporation.

5.—(1) The provisions of *The Municipal Act* as to matters consequent on the separation of a junior township from a union of townships, including the adjustment of assets, debts, arrears of taxes, contracts and liabilities shall apply except,— Adjustment of assets and liabilities. Rev. Stat., c. 233.

(*a*) All matters in dispute between the two corporations shall be determined by the Railway and Municipal Board; and

(*b*) The taxes for the year 1928 on the rateable property in the township of East Crowland shall be levied by and belong to the township of East Crowland, and the said township of East Crowland shall pay over to the township of Crowland such portion of taxes collected in 1928 as may be fixed and determined by the Railway and Municipal Board. The expenditures and liabilities for the year 1928 shall be considered by the said board in determining the amount payable to the township of Crowland.

(2) The said board for the purpose of this Act shall be deemed to be the arbitrator appointed under *The Municipal Act* and the award of the board shall be final and conclusive and without appeal. Arbitration.

(3) For the purpose of this section, the township of Crowland shall be deemed to be the senior township and the township of East Crowland, the junior township. Senior and junior townships.

Appointment of returning officer.

6.—(1) The clerk of the township of Crowland (or the acting clerk of such township for the time being) is hereby appointed returning officer for the first election in the township of East Crowland.

Nomination meeting.

Notice of day of polling.

(2) A meeting of the electors for the nomination of candidates for reeve and councillors for the township of East Crowland shall be held at 12 o'clock noon on the second Saturday following the declaration of the result of the vote on the question at the Crowland Township Hall at Cook's Mills in the township of East Crowland, of which nomination the returning officer shall give six days' notice by posting the same up in at least six conspicuous places in the township of East Crowland and the polling, in case a poll is required, shall be held on the next Saturday after such nomination.

Procedure at nomination meeting.

(3) The returning officer shall preside at the nomination meeting, and in case of his absence the electors present shall choose from among themselves a chairman to preside at the said nomination, and such chairman shall have all the powers of a returning officer, and the returning officer or chairman shall at the close of the nomination announce the polling places for the said election.

Polling subdivisions.

(4) The polling subdivisions shall be the same as at the vote on the question.

Application of Rev. Stat. c. 233.

(5) Except as herein otherwise provided, the provisions of *The Municipal Act* shall apply as if the election were being held under that Act.

Election of council, appointment of deputy returning officers.

7. The said returning officer, by his warrant, shall appoint a deputy returning officer for each of the polling subdivisions, and such returning officer and each deputy returning officer shall, before the holding of the said election, take the oath or affirmation required by law, and shall be subject to all the provisions of *The Municipal Act* applicable to returning officers at elections in townships in so far as the same do not conflict with this Act, and the said returning officer shall have all the powers and perform all the duties devolving on township clerks with respect to the election in townships.

First meeting of council.

8. The first meeting of the council of the township of East Crowland shall be held in the Crowland Township Hall, at Cook's Mills in the township of East Crowland at 10 o'clock in the forenoon on the Saturday next following the polling, and if no polling is required, then on the Saturday next following the day of nomination.

Number of councillors.

9. At the first election the council of the township of East Crowland shall consist of a reeve and four councillors, and

at the next annual election and thereafter, the number of deputy reeves and councillors shall be determined by *The Municipal Act.* Rev. Stat., c. 233.

10. The provisions of section 196 of *The Assessment Act* relating to the collection of arrears of taxes on land and the sale of land for arrears of taxes shall apply to the township of East Crowland as if the township of East Crowland were specially named therein and the provisions of all special Acts of this Legislature relating to the township of Crowland in so far as they are applicable, shall apply to and be in force in the township of East Crowland. Application of provisions of Rev. Stat. c. 238 and special Acts.

11. The township of Crowland shall furnish the council of the township of East Crowland with a full and complete list of all lands in arrear for taxes at the time of the coming in force of this Act, and the reeve and the treasurer of the township of East Crowland shall perform the like duties in the collection and management of the taxes at present in arrear as are performed by the said officers in the township of Crowland. The reeve and officers of the township of Crowland shall have full power and authority to make deeds for lands heretofore sold by the treasurer of the township of Crowland for taxes, if such lands are not redeemed, and to do all acts necessary or expedient to complete the sales of lands or the redemption of same in as full a manner as if this Act had not been passed. Arrears of taxes—lists—collection.

12. The assessment roll when completed by the assessors of the township of Crowland for the year 1928, so far as the same affects property within the limits of the said township of East Crowland shall be valid to all intents and purposes as if the said assessors had been appointed by the council of the township of East Crowland and the township of Crowland shall furnish the council of the township of East Crowland for the organization of the said township of East Crowland, a true and complete copy of the said assessment roll if the same has then been completed or as soon as possible after the same has been completed, and the council of the township of East Crowland shall be the Court of Revision to hear any appeals which may be made against the said assessment and any appeals that may have been made to the township of Crowland shall be deemed to have been made to the township of East Crowland. Assessment roll for 1928, to apply.

13. For the purpose of providing moneys which may be required for the payment of any debt which may be found due or owing by the township of East Crowland to the township of Crowland, the municipal council of the township of East Crowland may issue debentures payable within a period not Issue of debentures to pay balance of adjustments.

exceeding twenty years and bearing such rate of interest as may be determined by the said council to pay such debt, and it shall not be necessary to obtain the assent of the electors to any by-law for the issuing of such debentures.

Expenses of Act.

14. All expenses incurred in obtaining this Act, including the expenses and charges incurred in submitting the question provided by section 1, the furnishing of any documents, copies of papers, writings, deeds, the remuneration of the township clerk of Crowland for services under this Act or any matter whatsoever required by the clerk or other officer of the said township of East Crowland, or otherwise, shall be borne by the said township of East Crowland and paid by it to any person entitled thereto.

No. 33.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act to incorporate a part of the Township of Crowland as the Township of East Crowland.

1st Reading,	1928.
2nd Reading,	1928.
3rd Reading,	1928.

(*Private Bill.*)

MR. VAUGHAN.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 34. 1928.

BILL

An Act respecting the Township of York.

Preamble.

WHEREAS the corporation of the township of York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Township of York Act, 1928*.

1924, c. 140, amended.

2. Section 3 of an Act passed in 1924, chaptered 140, intituled *An Act respecting the Township of York*, is amended by striking out subsection 3 of said section 3 and substituting therefor the following:

(3) The nomination of candidates for deputy reeve and councillor in the wards shall be held at the same time and place as nominations for reeve. There shall be prepared one set of ballot papers for all polling subdivisions, containing the names of the candidates for reeve, one set containing the names of candidates for deputy reeve, and a third set containing the names of the candidates for councillor, for each ward. The form of ballot papers shall *mutatis mutandis* be according to form 3 of *The Municipal Act*. Rev. Stat., c. 233.

Election of public school trustees by ballot.

3.—(1) The council of the corporation of the township of York may pass a by-law providing that the election of public school trustees for each public school section in the township of York shall be held by ballot on the same day as the municipal councillors are elected.

Procedure at elections of public school trustees.

(2) Where such by-law is passed such election shall thereafter be held at the same time and place and by the same returning officer or officers and conducted in the same manner as the municipal nominations and elections of councillors, and

Rev. Stat., c. 233.

the provisions of *The Municipal Act*, respecting the manner of holding elections, including the mode of receiving nominations for office and the resignation of persons nominated, and vacancies shall *mutatis mutandis* apply to the elections.

Ballot papers.

(3) A separate set of ballot papers shall be prepared by the clerk of the municipality for each of the polling subdivisions in each public school section containing the names of the candidates in the same form *mutatis mutandis* as those used for councillors and no ballot shall be delivered to any person who is entered on the list of voters as a separate school supporter.

Voters' lists.

(4) The voters' list to be used shall be that as finally revised by the county judge for use at the municipal election and shall contain a separate column showing opposite each elector's name the school section in respect of which he is entitled to vote in the election of trustees. The county judge in revising the list of voters shall be entitled to correct any error which may appear in respect of the school section in which the elector is entitled to vote. In any polling subdivision which contains electors in two or more school sections the deputy returning officer shall be supplied with a sufficient number of ballots containing the names of candidates in each of said school sections and each elector shall be entitled only to a ballot containing the names of the candidates for trustee in the school section marked opposite the elector's name.

Nomination meeting.

(5) A meeting of the electors of every public school section for the nomination of candidates for the office of trustee shall be held annually on the same day on which nominations for councillors is held, at the hour of 8 o'clock in the evening at such place as the board of trustees shall by resolution determine or in the absence of such resolution at the school house of the section. The secretary or secretary-treasurer (or if such office is vacant such person as may be appointed by resolution of the board of trustees) shall be the returning officer to hold the nominations for each school section. The said returning officer shall forthwith after the nominations make the returns thereof for their respective sections to the township clerk or such person as may be the returning officer for the whole municipality.

Annual meeting.

Rev. Stat., c. 323.

(6) The annual meeting of the electors as required by section 66 of *The Public Schools Act*, for the purpose of transacting the business as therein provided (except the election of trustees) shall be held at the same time and place as the meeting for the nomination of candidates instead of on the last Wednesday in December.

(7) In the case of union school sections which contain part of an adjoining township, such part of the adjoining township shall be considered for the purpose of the election of school trustees as part of the township of York. The clerk of the adjoining township shall furnish to the clerk of the township of York a certified copy of so much of the revised voters' list of the said adjoining township as contains the names of electors qualified to vote in that portion of the union school section lying within the said adjoining township and such persons shall be entitled to vote in the election of trustees for such union school section. Union school sections.

(8) The first meeting of each board of public school trustees elected by ballot as herein provided shall be held on the second Wednesday in January of the year for which the trustees are elected, at the hour of 8 o'clock in the evening when the board shall be organized by the election of a chairman, a secretary and a treasurer or a secretary-treasurer. First meeting of board.

(9) The provisions of this section shall not apply to or affect any union school section except a union school section in which the school house thereof is situated within the limits of the township of York. Application of section only where school house situate within township.

(10) All the provisions of *The Public Schools Act*, or any other statutes relating to rural school sections shall continue to apply to the said school sections except where inconsistent herewith. Application of Rev. Stat. c. 323, and other Acts.

(11) Any by-laws for the purposes mentioned in this section shall be passed not later in the year than the first day of November and shall take effect at and for the purpose of the next and each succeeding annual election. By-law to be passed not later than November 1st.

4.—(1) The council of the corporation of the township of York may by by-law define any section or area of the township of York as a fire area and may from time to time by by-law enlarge, extend or otherwise alter the boundaries of any such fire area and may combine two or more fire areas or the whole or any part of the township into one fire area. Power to define fire areas.

(2) No by-law which provides for the alteration of the boundaries of any fire area or which combines two or more fire areas or parts of the township into one fire area shall come into force and effect unless and until approved by the Railway and Municipal Board and such by-law shall be subject to such conditions and terms as to the adjustment of assets and liabilities and otherwise as may be imposed by the said board whose decision shall be final and without appeal. Approval of Railway Board.

Power to make provisions respecting fire areas.

(3) The council of the corporation of the township of York may by by-law provide for,—

(*a*) The election of a board of three trustees for each defined fire area of the township;

(*b*) The time and manner of holding the elections, and if deemed advisable may provide that the elections may be held at the same time and place and in the same manner as nearly as may be possible as elections of members of council;

(*c*) The term of office of such trustees;

(*d*) Filling vacancies in each board;

(*e*) The election of an auditor;

(*f*) The appointment of a second auditor by the board;

(*g*) The duties of such auditors;

(*h*) The appointment of a secretary and treasurer or a secretary-treasurer of the board who may be a member of the board and the appointment of such other persons to the staff as may be deemed necessary;

(*i*) The terms and conditions on which fire protection shall be extended to other areas of the township and to adjoining municipalities;

(*j*) Such other provisions and regulations for the administration and good government of the fire areas as may be deemed advisable.

Meetings of fire board.

(4) The board of trustees in each fire area may by by-law fix the time and place of its meetings, the mode of calling and conducting the same and provide for keeping a correct record of its proceedings and of the receipts and expenditures of the board. All meetings of the board of trustees shall be open to the public and any ratepayer of the fire area shall be entitled to inspect the minutes of the board.

Property and equipment.

(5) The board of trustees of a fire area shall have power to purchase land and to erect a fire hall thereon and to purchase fire engines and other equipment and appliances for fire protection for the use and benefit of any such fire area. The title and ownership of any such land, fire hall, fire engines, equipment and appliances and other assets shall be in the

corporation of the township of York but the board of trustees of the fire area shall have the care, control and management of the same.

Sanction of ratepayers before purchase.

(6) No land or fire engines shall be purchased, any fire hall erected or any capital expenditure be made for equipment and appliances or otherwise amounting to more than $200 in any one year nor shall any application be made to the council to levy for the cost thereof, until the same shall have been first sanctioned by the ratepayers in the fire area in the same manner *mutatis mutandis* as the sanction of ratepayers is required to be obtained for the issue of debentures in a rural school section under the provisions of *The Public Schools Act.* Rev. Stat., c. 323.

Special rate not to exceed two mills.

(7) On the application of the board of trustees of a fire area the council shall levy a special rate to meet the cost of such land, fire hall, fire engines, equipment and appliances or any of them. The special rate shall be levied on all the rateable property in such fire area in one or two years as council may think proper; but the rate shall not exceed in any one year two mills in the dollar on the assessed value of the rateable property in such fire area.

Special rate for maintenance and repair.

(8) The council of the corporation of the township of York shall in each year levy by a special rate on all the rateable property in each fire area such sum not exceeding one mill on the assessed value of the rateable property in such fire area as the board of trustees for the fire area may require by resolution in writing and forwarded to the clerk of the municipality on or before the 15th day of February in each year, to meet the cost of maintenance and repair of such fire hall, fire engines, equipment and appliances and the cost of paying and insuring men and all expenses necessarily incurred in connection with providing fire protection for such fire area.

Payment by township treasurer.

(9) The board of trustees of each fire area shall be empowered to authorize the expenditure of monies for the purposes mentioned in subsections 5 and 8 and upon receipt of vouchers certified for payment by the board of trustees, the treasurer of the township of York shall pay such amounts out of the monies levied and collected in such fire area for the purpose of meeting the cost of the same under the provisions of this section.

Provision for petty cash disbursements.

(10) The treasurer of the corporation of the township of York is hereby authorized out of the monies levied and collected for the purposes authorized by subsection 8 of this section to advance monthly to the treasurer of each board of trustees such amounts that the said treasurer may have in

his hands at any one time a sum not exceeding $200, to be used in making petty cash disbursements for such fire area, provided, however, that the board of trustees shall forward monthly to the treasurer of the township of York receipted vouchers duly certified by the board of trustees for all petty cash payments made in the preceding month.

Volunteer and paid firemen.

(11) The board of trustees in each fire area shall have authority to appoint such volunteer and paid firemen, including fire chief, as may be deemed necessary and to insure the firemen; and shall make all proper and reasonable provision for fire protection in their respective areas.

Liability of trustees for unauthorized expenditure.

(12) The members of the board of trustees of any fire area which makes any contract or expenditure not authorized by this section, or for an amount beyond that for which the council is authorized to levy by special rate under the provisions of this section shall be jointly and severally liable therefor; provided that any trustee present at a meeting when any such contract or expenditure is made, forthwith, or if any trustee then absent, within twenty-four hours after he has become aware thereof and able so to do, enters his written protest against the same, and within eight days thereafter causes such protest to be notified by registered letter to the clerk of the township of York, such trustee may thereby, and not otherwise, exonerate himself from liability.

Qualification to vote in election of trustees.

(13) Any person shall be entitled to vote in the election of fire trustees or at a meeting of ratepayers called by the board of trustees who is a ratepayer in the fire area and is also qualified to vote at municipal elections in the township of York.

Qualification of trustees.

(14) The persons qualified to be elected fire trustees shall be such persons as are resident ratepayers in the fire area and are also qualified to be elected to the council of the township of York.

1922, c. 139, s. 2, and 1926, c. 108, s. 2, repealed.

(15) Section 2 of an Act passed in 1922, chaptered 139, intituled *An Act respecting the Township of York*, and section 2 of an Act passed in 1926, chaptered 108, intituled *An Act respecting the Township of York*, are hereby repealed.

Apportionment of cost of administering debenture debt.

5.—(1) The corporation of the township of York may charge and recover from any municipal corporation which prior to the first day of January, 1922, formed part of the corporation of the township of York and has since or may hereafter form or be erected into a separate municipality, the annual cost of administering the debenture debt of any such municipality, from the date of separation from the

township of York, and so long as any part of the debenture debt of such municipality continues to be administered by the corporation of the township of York.

Determination of dispute by Railway Board.

(2) Any dispute as to the liability of any municipal corporation under this section shall be determined by the Railway and Municipal Board, whose decision shall be final, conclusive, and without appeal.

Tax sales and deeds.

6.—(1) All sales of lands within the municipality of the township of York made prior to the 31st day of December, 1926, which purport to have been made by the corporation of the said township or the treasurer thereof for arrears of taxes in respect of the lands so sold are hereby validated and confirmed and all conveyances of lands so sold executed by the reeve and treasurer of the said corporation purporting to convey the lands so sold to the purchaser thereof or his, her or their assigns or the corporation of the township of York are hereby validated and confirmed and shall have the effect of vesting the lands so sold or conveyed or purporting to be so sold or conveyed in the purchaser thereof or his, her or their assigns or in the said corporation and its successors and assigns as the case may be, in fee simple, free and clear of and from all right, title and interest whatsoever of the owner or owners thereof at the time of such sale or his, her or their assigns and all charges and encumbrances thereon and dower therein, except taxes accrued or accruing since those for non-payment of which the said lands were sold.

Pending litigation.

(2) Nothing in this section contained shall affect any action or litigation now pending, but the same may be proceeded with, and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

By-laws Nos. 9424 and 8372 validated.

7. By-law No. 9424 passed by the council of the corporation of the township of York on the 19th day of December, 1927, being a by-law to amend By-law No. 8372 passed on the 22nd day of February, 1926, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law No. 000, validated.

8. By-law No. 0000 passed by the council of the corporation of the township of York on the 00nd day of February, 1928, providing for the construction of a twelve inch watermain in the village of Forest Hill for the benefit of Waterworks Section "A" is hereby ratified and confirmed, and declared to be legal, valid and binding upon the said Corporation and the ratepayers thereof.

Commencement of Act.

9. This Act shall come into force on the day upon which it receives the Royal Assent.

No. 34.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting the Township of York.

1st	Reading,	1928.
2nd	Reading,	1928.
3rd	Reading,	1928.

(*Private Bill.*)

MR. MACAULAY.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 34. 1928.

BILL

An Act respecting the Township of York.

Preamble. WHEREAS the corporation of the township of York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1.** This Act may be cited as *The Township of York Act, 1928*.

1924, c. 140, amended. **2.** Section 3 of an Act passed in 1924, chaptered 140, intituled *An Act respecting the Township of York*, is amended by striking out subsection 3 of said section 3 and substituting therefor the following:

(3) The nomination of candidates for deputy reeve and councillor in the wards shall be held at the same time and place as nominations for reeve. There shall be prepared one set of ballot papers for all polling subdivisions, containing the names of the candidates for reeve, one set containing the names of candidates for deputy reeve, and a third set containing the names of the candidates for councillor, for each ward. The form of ballot papers shall *mutatis mutandis* be according to form 3 of *The Municipal Act*. Rev. Stat., c. 233.

Election of public school trustees by ballot. **3.**—(1) The council of the corporation of the township of York may pass a by-law providing that the election of public school trustees for each public school section in the township of York shall be held by ballot on the same day as the municipal councillors are elected.

Procedure at elections of public school trustees. ☞(2) After such by-law has been passed subsections 3 to 10 of this section shall apply and☜ such election shall thereafter be held at the same time and place and by the same returning officer or officers and conducted in the same manner

as the municipal nominations and elections of councillors, and the provisions of *The Municipal Act*, respecting the manner of holding elections, including the mode of receiving nominations for office and the resignation of persons nominated, and vacancies shall *mutatis mutandis* apply to the elections.

Rev. Stat., c. 233.

Ballot papers.

(3) A separate set of ballot papers shall be prepared by the clerk of the municipality for each of the polling subdivisions in each public school section containing the names of the candidates in the same form *mutatis mutandis* as those used for councillors and no ballot shall be delivered to any person who is entered on the list of voters as a separate school supporter.

Voters' lists.

(4) The voters' list to be used shall be that as finally revised by the county judge for use at the municipal election and shall contain a separate column showing opposite each elector's name the school section in respect of which he is entitled to vote in the election of trustees. The county judge in revising the *voters' list* shall be entitled to correct any error which may appear in respect of the school section in which the elector is entitled to vote. In any polling subdivision which contains electors in two or more school sections the deputy returning officer shall be supplied with a sufficient number of ballots containing the names of candidates in each of said school sections and each elector shall be entitled only to a ballot containing the names of the candidates for trustee in the school section marked opposite the elector's name.

Nomination meeting.

(5) A meeting of the electors of every public school section for the nomination of candidates for the office of trustee shall be held annually on the same day on which *the meeting for the* nomination *of candidates for* councillors is held, at the hour of 8 o'clock in the evening at such place as the board of trustees shall by resolution determine or in the absence of such resolution at the school house of the section. The secretary or secretary-treasurer (or if such office is vacant such person as may be appointed by resolution of the board of trustees) shall be the returning officer to hold the nominations for each school section. The said returning officers shall forthwith after the nominations make the returns thereof for their respective sections to the township clerk or such person as may be the returning officer for the whole municipality.

Annual meeting.

Rev. Stat., c. 323.

(6) The annual meeting of the electors as required by section 66 of *The Public Schools Act*, for the purpose of transacting the business as therein provided (except the election of trustees) shall be held at the same time and place as the meeting for the nomination of candidates instead of on the last Wednesday in December.

(7) In the case of union school sections which contain part of an adjoining township, such part of the adjoining township shall be considered for the purpose of the election of school trustees as part of the township of York. The clerk of the adjoining township shall furnish to the clerk of the township of York a certified copy of so much of the revised voters' list of the said adjoining township as contains the names of electors qualified to vote in that portion of the union school section lying within the said adjoining township and such persons shall be entitled to vote in the election of trustees for such union school section. Union school sections.

(8) The first meeting of each board of public school trustees shall be held on the second Wednesday in January of the year for which the trustees are elected, at the hour of 8 o'clock in the evening when the board shall be organized by the election of a chairman, a secretary and a treasurer or a secretary-treasurer. First meeting of board.

(9) The provisions of this section shall not apply to or affect any union school section except a union school section in which the school house thereof is situated within the limits of the township of York. Application of section only where school house situate within township.

(10) All the provisions of *The Public Schools Act*, or any other statutes relating to rural school sections shall continue to apply to the said school sections except where inconsistent herewith. Application of Rev. Stat. c. 323, and other Acts.

(11) Any by-law for the purposes mentioned in this section shall be passed not later in the year than the first day of November and shall take effect at and for the purpose of the next and each succeeding annual election. By-law to be passed not later than November 1st.

☞**4.** By-law number 9424 passed by the council of the corporation of the township of York on the 19th day of December, 1927, being a by-law to amend by-law number 8372 passed on the 22nd day of February, 1926, to provide that all maintenance charges payable to the city of Toronto under any agreement made with the said city by the corporation of the township of York or by the individual owners of land in respect of sewers connected with the city of Toronto sewerage system shall be raised by a special rate on all the rateable property in the township sewer area, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof. By-law No. 9424, confirmed.

5. By-law number 9046 of the municipal corporation of the township of York passed on the 20th day of April, 1927, to provide for the borrowing of $12,177.62 by the issue of debentures to pay for the widening and extension of certain By-law No. 9046, confirmed.

streets in the township of York and the debentures issued or to be issued thereunder are hereby ratified and confirmed, and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law No. 9047, confirmed.

6. By-law number 9047 of the municipal corporation of the township of York passed on the 28th day of April, 1927, to provide for the borrowing of $14,579.95 by the issue of debentures to pay for the construction and widening of Humewood Drive in the township of York and the debentures issued or to be issued thereunder are hereby ratified and confirmed, and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law No. 9129, confirmed.

7. By-law number 9129 of the municipal corporation of the township of York passed on the 31st day of May, 1927, to provide for the borrowing of $5,785.73 by the issue of debentures to pay for the area's portion of the cost of the construction of certain sewers in St. Clair sewerage area number 2 in the township of York and the debentures issued or to be issued thereunder are hereby ratified and confirmed, and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law No. 9180, confirmed.

8. By-law number 9180 of the municipal corporation of the township of York passed on the 27th day of June, 1927, to provide for the borrowing of $33,375.70 by the issue of debentures to pay for the cost of the construction of a pavement on Lambton Avenue in the township of York and the debentures issued or to be issued thereunder are hereby ratified and confirmed, and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law No. 9483, confirmed.

9.—(1) Subject to subsection 2, by-law number 9483 of the municipal corporation of the township of York passed on the 20th day of February, 1928, to provide for the borrowing of $30,000 by the issue of debentures to pay for the cost of the construction of additions to the sewage disposal works near Rockcliffe Boulevard in the township of York and the debentures issued or to be issued thereunder are hereby ratified and confirmed, and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Application to quash not affected.

(2) Subsection 1 shall not affect any application now pending or which may be made prior to the 20th day of May, 1928, to quash the said by-law but any such application may be proceeded with and adjudicated upon in all respects as if subsection 1 had not been passed.

Commencement of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

An Act respecting the Township of York.

1st Reading,

February 23rd, 1928.

2nd Reading

3rd Reading

MR. MACAULAY.

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 35. 1928.

BILL

An Act respecting The Grand Trunk Pacific Development Company, Limited.

Preamble.

WHEREAS The Grand Trunk Pacific Development Company, Limited, has, by petition, prayed for special legislation as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Grand Trunk Pacific Development Company Act, 1928*.

Declaration as to non-reservation of road allowance.

2.—(1) No road allowance along the shore of the Kaministikwia River in front of the property patented to John McKellar by the Crown as represented by the Province of Ontario on the 7th day of May, 1875, and registered in the Registry Office for the registry division of the district of Thunder Bay in Book 2 for unsurveyed territory on the 13th day of August, 1875, as Number 238, was intended to be or was reserved by the said patent.

Road allowance reserved.

(2) The only road allowance intended to be reserved or which was reserved by the said patent was what was afterwards known as Front Street.

Certain highways in City of Fort William declared closed and vested in company.

3. All road allowances, highways, streets and lanes heretofore existing or now existing within the boundary of the following lands, in the city of Fort William, in the district of Thunder Bay and Province of Ontario (being a portion of the lands covered by the above patent), namely: Bounded on the south by the northerly limit of Duncan Street, as shown on a plan registered as Number 1389 in the Registry Office for the registry division of the district of Fort William; on the west by the easterly limit of the right-of-way of the Canadian Pacific Railway; on the east by the shore of the left bank of the Kaministikwia River; and on the north by the northerly limit, the easterly limit and the easterly production

of the southerly limit, of the land described in a deed from John McKellar to Victoria McVicar, dated the 21st day of August, 1883, and registered in the Registry Office for the district of Thunder Bay as Number 46, for the township of Neebing additional, on the 22nd day of August, 1883; are hereby stopped up and closed and vested in The Grand Trunk Pacific Development Company, Limited, in fee simple, free from encumbrances except municipal taxes and rates which may be owing in respect thereof.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

No. 35.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting The Grand Trunk Pacific Development Company, Limited.

1st	Reading,	1928.
2nd	Reading,	1928.
3rd	Reading,	1928.

(*Private Bill.*)

MR. SPENCE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 35. 1928.

BILL

An Act respecting The Grand Trunk Pacific Development Company, Limited.

Preamble.

WHEREAS the Grand Trunk Pacific Development Company, Limited, has by its petition represented that in an original grant from the Crown to John McKellar of lands in the township of Neebing, in the district of Fort William, dated the 7th day of May, 1875, there is reservation of a road allowance along the bank of the Kaministiquia River; and whereas this reservation has never been used as a travelled road; and whereas the city of Fort William by by-law closed the road allowance along the Kaministiquia River as far as West Fort William but expressly exempted the lands covered by the patent above referred to; and whereas a road known as Front Street was established across the said lands and was used by the public; and whereas no public demand exists for the opening of the road allowance referred to in the said patent as is evidenced by the by-law of the city of Fort William above referred to and the resolution passed by the municipal council of the city of Fort William on the 30th day of December, 1927, consenting to the passage of legislation for the purpose contemplated by this Act; and whereas no injustice to anyone will be done by stopping up and closing said road allowance; and whereas the Grand Trunk Pacific Development Company, Limited, has by its petition prayed that an Act may be passed for such purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title

1. This Act may be cited as *The Grand Trunk Pacific Development Company Act, 1928.*

Declaration as to non-reservation of road allowance.

2.—(1) No road allowance along the shore of the Kaministiquia River in front of the property patented to John McKellar by the Crown as represented by the Province of Ontario on the 7th day of May, 1875, and registered in the

Registry Office for the registry division of the district of Thunder Bay in Book 2 for unsurveyed territory on the 13th day of August, 1875, as Number 238, was intended to be or was reserved by the said patent.

Road allowance reserved.

(2) The only road allowance intended to be reserved or which was reserved by the said patent was what was afterwards known as Front Street.

Certain highways in City of Fort William declared closed and vested in company.

3. All road allowances, highways, streets and lanes heretofore existing or now existing within the boundary of the following lands, in the city of Fort William, in the district of Thunder Bay and Province of Ontario (being a portion of the lands covered by the above patent), namely: Bounded on the south by the northerly limit of Duncan Street, as shown on a plan registered as Number 1389 in the Registry Office for the registry division of the district of Fort William; on the west by the easterly limit of the right-of-way of the Canadian Pacific Railway; on the east by the shore of the left bank of the Kaministiquia River; and on the north by the northerly limit, the easterly limit and the easterly production of the southerly limit, of the land described in a deed from John McKellar to Victoria McVicar, dated the 21st day of August, 1883, and registered in the Registry Office for the district of Thunder Bay as Number 46, for the township of Neebing additional, on the 22nd day of August, 1883; are hereby stopped up and closed and vested in The Grand Trunk Pacific Development Company, Limited, in fee simple, free from encumbrances except municipal taxes and rates which may be owing in respect thereof.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

No. 35.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act respecting The Grand Trunk Pacific Development Company, Limited.

1st	Reading, February 14th,	1928.
2nd	Reading,	1928.
3rd	Reading,	1928.

(*Reprinted as amended by the Private Bills Committee.*)

MR. SPENCE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 36. 1928.

BILL

An Act respecting the Roman Catholic Separate School of the Town of Rockland.

Preamble.

WHEREAS the Board of Trustees of the Roman Catholic Separate School for the town of Rockland has by its petition shown that it appointed in 1903 the Reverend P. S. Hudon as its Secretary-Treasurer and maintained him in that office until 1924, when he resigned; and whereas the said Reverend P. S. Hudon advanced out of his own funds to the said Board, between the years 1904 and 1924, diverse sums, and he now claims that the said advances exceed the sum of $6,000; and whereas the said Board acknowledges some moral indebtedness to the said Reverend P. S. Hudon, but is advised that if it satisfied the said claim, personal liability might attach to its members; and whereas the said Board by its petition has prayed that an Act may be passed authorizing it to pass by-laws as is hereinafter set out; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Authority to pay claim of Rev. P. S. Hudon.

Rev. Stat., cc. 106, 328.

1. The Board of Trustees of the Roman Catholic Separate School for the town of Rockland may, notwithstanding the provisions of *The Limitations Act* and of section 107 of *The Separate Schools Act*, and without the members thereof incurring personal liability therefor, pass by-laws as it deems advisable

(*a*) to pay in whole or in part the claim of the said Reverend P. S. Hudon;

(*b*) for the purpose of satisfying the said claim to issue debentures, subject to *The Separate Schools Act*, in an amount not exceeding $5,000.

Commencement of Act.

2. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.

BILL.

An Act respecting the Roman Catholic Separate School in the Town of Rockland.

1st Reading

2nd Reading

3rd Reading

MR. HONEYWELL.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 37. 1928.

BILL

An Act respecting the Congregation of St. Andrew's Presbyterian Church of Canada, Owen Sound.

Preamble.

WHEREAS the congregation of the Continuing Presbyterian Church at Owen Sound not connected with the United Church of Canada, now known as St. Andrew's Presbyterian Church, Owen Sound, have by their petition represented that on the vote on the question of the union of the Presbyterian, Methodist and Congregational Churches in Canada, the proposal for union carried in the two former Presbyterian Churches at Owen Sound, namely: the Division Street Presbyterian Church and the Knox Presbyterian Church; about two-thirds of the members voting for union and the remaining one-third against union; and whereas the minority of the said two last mentioned congregations claiming a one-third ownership in the said two church properties, applied to the Ontario Church Property Commission for compensation and relief under *The United Church of Canada Act*, being chapter 125 of the Statutes of 1925, and the Commission recommended that the said minority be given either the church property of the former Division Street Presbyterian Church, Knox Presbyterian Church, or the property of the former First Methodist Church in Owen Sound, subject only to the payment of $20,000 but the said recommendation has not been carried out but has been ignored by the said churches and no compensation or relief has been received by the said non-concurring minority who now comprise the major portion of the congregation of the said St. Andrew's Presbyterian Church at Owen Sound; and whereas the said petitioners have by their petition prayed that an Act may be passed granting to them a reasonable sum of money as compensation for their right, title and interest in said two church properties, the amount thereof to be fixed as hereinafter provided and to be paid to them by the congregations of said two former Presbyterian Churches now members of the United Church of Canada; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Owen Sound St. Andrew's Presbyterian Church Act, 1928*.

Payment over of one-third value of church property to St. Andrew's.

2. There shall be paid by the congregations of the former Division Street Presbyterian Church and Knox Presbyterian Church, Owen Sound, or by the trustees of the church, corporation or body in which title to said church properties is now vested, to the trustees of St. Andrew's Presbyterian Church at Owen Sound, a sum of money equal to one-third the value as of June 10th, 1925, of all the church property of the said former Division Street Presbyterian Church and Knox Presbyterian Church at Owen Sound, after deducting encumbrances and debts outstanding on the 10th of June, 1925.

Determination by Judge in case of failure to agree.

3. In the case of failure of the congregations to agree within three months from the date on which this Act comes into force upon the value of the said one-third equity in the property of the said two churches, and the time or terms of payment thereof and the apportionment of such amount as between the said two churches, the same shall be referred to and determined by His Honor Charles Tyrrell Sutherland, Judge of the county court of the county of Grey, whose decision thereon shall be final, and for the purposes of this Act, he shall have all the powers which may be conferred on a Commissioner appointed under *The Public Inquiries Act* and may fix a time for hearing the parties, the length of notice of hearing and all other matters and procedure necessary to a decision of the matters hereby referred to him.

Rev. Stat. c. 20.

Enforcement of order of Judge.

4. Any order of the said judge or commissioner certified under his hand may be filed in the office of the Local Registrar of the Supreme Court at Owen Sound and shall thereupon become and be enforceable as a judgment or order of the Supreme Court of Ontario to the same effect, and shall be enforceable by execution against the church properties of the said two former Presbyterian Churches at Owen Sound whether the same be vested in the said two local congregations of the now United Church of Canada or in The United Church of Canada or otherwise.

Commencement of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

An Act respecting the Congregation of St. Andrew's Presbyterian Church of Canada, Owen Sound.

1st Reading

2nd Reading

3rd Reading

MR. SCHOLFIELD.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 38. 1928.

BILL

An Act respecting the Town of Collingwood.

Preamble.

WHEREAS the corporation of the town of Collingwood has by its petition represented that by-law number 1042 has been submitted to the electors of the corporation duly qualified to vote thereon in accordance with the provisions of *The Municipal Act;* and that of the electors who voted on the said by-law, 1,171 voted in favour thereof and 10 voted against the said by-law; and that the said by-law was subsequently passed by the affirmative vote of three-fourths of all the members of the council of said corporation; and whereas the corporation has by its said petition prayed that the said by-law should be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of Collingwood Act, 1928.*

By-law No. 1042 confirmed.

2. By-law number 1042 of the corporation of the town of Collingwood and the agreement dated the eleventh day of January, 1928, between the said corporation and one Henry Isaac Price connected therewith, both of which are set forth in schedule "1" hereto, are hereby ratified and confirmed and declared to be legal, valid and binding upon said corporation and the ratepayers thereof and upon the said Henry Isaac Price, his executors, administrators and assigns.

Power to purchase or lease site and to convey.

3. The said corporation may purchase or lease and pay for a site for the elevator mentioned in said agreement in or upon Collingwood harbour and may convey or transfer the same to the said Henry Isaac Price or his assigns. Such site when acquired shall constitute the lands referred to in paragraph one of said agreement and the cost thereof shall form part of the price of said elevator mentioned in paragraph ten of said agreement.

Provision for any excess of cost over $800,000.

4. The total cost of said elevator, in excess of $800,000, if any, shall be paid and borne by the said Henry Isaac Price or his assigns.

Name of company.

5. The name of the company to be formed pursuant to said agreement shall be Collingwood Terminals Limited, or such other name as the Lieutenant-Governor in Council may approve of.

By-law No. 1042 and debentures confirmed.

6. The debentures issued or to be issued under the provisions of said by-law number 1042 are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof; and the said corporation, the said Henry Isaac Price and the Elevator Company referred to in said agreement when incorporated are and each of them is hereby authorized and empowered to enter into all agreements, execute all documents and to do all acts and things necessary or convenient for the fulfillment and proper carrying out of said by-law and agreement.

Commencement of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "1"

BY-LAW NUMBER 1042 OF THE TOWN OF COLLINGWOOD

A By-law to provide for the borrowing of $800,000.00 upon Debentures, to pay for the erection and equipment of a Grain Elevator, and all other costs and expenses in connection therewith and incidental thereto, and to confirm a certain Agreement, dated the Eleventh day of January, A.D. 1928, made between the Municipal Corporation of the Town of Collingwood, and one Henry Isaac Price, of the City of Toronto, in the County of York, Gentleman, in connection therewith.

Whereas it is desirable and expedient to erect a Grain Elevator in the Town of Collingwood, as provided by The Consolidated Municipal Act, 1922, Ontario Statutes, Chapter 72, Section 398, Paragraph 24, as amended by 1924 Statutes, Chapter 53, Section 8;

And whereas it is desirable and expedient to confirm a certain Agreement dated the Eleventh day of January, A.D. 1928, between the Municipal Corporation of the Town of Collingwood, and Henry Isaac Price of the City of Toronto, in the County of York, Gentleman, for the sale of the said Grain Elevator, in accordance with the terms of the said Agreement, which Agreement is hereunto annexed as Schedule "A."

And whereas the Municipal Council of the Town of Collingwood has approved of the said Agreement.

And whereas for the said purpose, it is necessary to borrow the sum of $800,000.00 on the credit of the Corporation, and to issue Debentures, payable within twenty-five years from the time of the issue thereof, and bearing interest at the rate of five per cent. per annum, payable half-yearly, which is the amount of the debt intended to be created by this By-law, the proceeds of the said Debentures to be applied to the said purpose, and to no other.

And whereas $56,761.96 is the total amount required to be raised annually by a special rate for the term of twenty-five years for the payment of the said debt and interest thereon at the rate of five per cent. per annum, payable half-yearly, according to the terms of this By-law.

And whereas it is expedient that the principal of said debt shall be repayable in yearly sums during the period of twenty-five years, on such amounts respectively, that the aggregate amount payable for principal and interest in any year shall be equal as nearly as possible, to the amount so payable for principal and interest in each of the other years.

And whereas the amount of the whole rateable property of the Municipality, according to the last revised assessment roll is $4,263,807.00.

And whereas the amount of the existing Debenture debt of the Corporation (exclusive of Local Improvement Debts), secured by Special Rates or Assessments, is the sum of $375,652.65 and no part of the principal or interest is in arrears.

And whereas it is expedient to authorize, ratify and confirm the said Agreement hereinbefore recited.

Therefore the Municipal Council of the Town of Collingwood enacts as follows:—

1. That for the purpose aforesaid, it shall be lawful for the Municipal Council of the Town of Collingwood, to borrow on the credit of the Corporation at large, the sum of $800,000.00 and Debentures shall be issued therefor in sums of not less than One Hundred Dollars each bearing interest at the rate of five per cent. per annum, payable half-yearly, computed from the date of the issue, and have coupons attached for the payment of interest.

2. That the Debentures shall all bear the same date and shall be issued within two years after the date on which this By-law is passed and may bear any date within such two years and shall be payable in twenty-five annual instalments, during the twenty-five years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years, shall be as follows:—

Year	Principal	Interest	Total
1	$16,761 96	$40,000 00	$56,761 96
2	17,600 06	39,161 90	56,761 96
3	18,480 06	38,281 90	56,761 96
4	19,404 07	37,357 89	56,761 96
5	20,374 27	36,387 69	56,761 96
6	21,392 99	35,368 97	56,761 96
7	22,462 64	34,299 32	56,761 96
8	23,585 77	33,176 19	56,761 96
9	24,765 06	31,996 90	56,761 96
10	26,003 31	30,758 65	56,761 96
11	27,303 48	29,458 48	56,761 96
12	28,668 65	28,093 31	56,761 96
13	30,102 08	26,659 88	56,761 96
14	31,607 19	25,154 77	56,761 96
15	33,187 54	23,574 42	56,761 96
16	34,846 92	21,915 04	56,761 96
17	36,589 27	20,172 69	56,761 96
18	38,418 74	18,343 22	56,761 96
19	40,339 67	16,422 29	56,761 96
20	42,356 66	14,405 30	56,761 96
21	44,474 49	12,287 47	56,761 96
22	46,698 21	10,063 75	56,761 96
23	49,033 12	7,728 84	56,761 96
24	51,484 77	5,277 19	56,761 96
25	54,059 02	2,702 94	56,761 96
	$800,000 00	$619,049 00	$1,419,049 00

3. The Debentures as to both principal and interest may be expressed in Canadian Currency or Sterling Money of Great Britain, at the rate of One Pound Sterling for each Four Dollars and eighty-six and two-third cents, and may be payable at any place or places in Canada or Great Britain.

4. The Mayor and Treasurer of the Corporation shall sign and issue the Debentures and the Treasurer shall sign the interest coupons and the Debentures shall be sealed with the seal of the Corporation, and the Treasurer's signature may be printed, stamped, lithographed or engraved upon the said coupons.

5. During the twenty-five years, the currency of the said debt and Debentures, there shall be raised, assessed and levied yearly by special rate, sufficient therefor, on all the rateable property in the Municipality, a sum sufficient to discharge the several instalments of principal and interest accruing due on the said Debentures as the same become respectively payable, according to the provisions of this By-law.

6. All moneys raised from the said special rates or from the commutation thereof not immediately required for the payment of the interest shall be invested as required by law.

7. The Debentures may contain any clause providing for the registration thereof, authorized by any Statute relating to Municipal Debentures in force at the time of the issue thereof.

The execution of the said Agreement on behalf of the Corporation of the Town of Collingwood, is hereby authorized, ratified and confirmed and the said Agreement is hereby incorporated in this By-law and shall be read and confirmed as part thereof.

This By-law shall come into force and take effect immediately upon the final passing thereof.

Provisionally passed this Eleventh day of January, A.D. 1928.

Finally passed this ..... day of ....., A.D. 1928.

.....
Mayor.

.....
Clerk.

SCHEDULE "A" TO BY-LAW NUMBER 1042

Memorandum of Agreement made this Eleventh day of January, A.D. 1928.

BETWEEN:

THE CORPORATION OF THE TOWN OF COLLINGWOOD, hereinafter called the Corporation,

of the first part,

—and—

HENRY ISAAC PRICE, of the City of Toronto, in the County of York, Gentleman, hereinafter called the Purchaser,

of the second part.

Whereas to facilitate the transportation of Grain from the West to the Seaboard by way of the Great Lakes, and for Local Trade, facilities for the transhipment and temporary storage of grain are required at the Port of Collingwood.

And whereas the Corporation is authorized under the Provisions of Paragraph 24 of Section 398 of The Consolidated Municipal Act, 1922, as amended by Section 8 of Chapter 53 of 14 George V, to erect, maintain and operate Grain Elevators for discharging or loading vessels.

And whereas the said Corporation, in order to provide said facilities at the Port of Collingwood, are willing to construct a Grain Elevator.

And whereas the said Purchaser agrees to form a Company, under the name of Collingwood Elevator Company, Limited, or such other name as the Lieutenant-Governor in Council may approve of (hereinafter called the "Elevator Company"), with a subscribed capital of not less than $250,000.00 which will agree to purchase the said Elevator from the said Corporation, upon completion thereof, and thereafter to operate to the greatest possibility of the Grain Trade and maintain the same on the terms and conditions hereinafter set forth.

Now this indenture witnesseth that in consideration of the premises and the stipulations and covenants herein on the part of the said Parties severally contained, the said Parties hereby covenant, promise and agree each with the other of them, as follows:—

1. The said Corporation shall, subject to provisions hereinafter contained, erect a Grain Elevator of modern design and substantial concrete construction, with a storage capacity of not less than 2,000,000 bushels of grain on the following lands, namely—As per Schedule "A" attached—which said lands the said Corporation shall endeavour to acquire, on terms satisfactory to the Purchaser, from the Canadian National Railway, or some other site agreeable to the Purchaser and the Corporation within the limits of the said Town.

2. Plans and specifications of the said Elevator shall be submitted to a Committee of six persons, three of whom shall be appointed by the

Corporation, and three by the Purchaser, with power to substitute from time to time, and the said plans and specifications shall be approved and accepted by said Committee or a majority of them, before the construction shall be proceeded with, under this Agreement, including any alterations made thereafter.

3. The said Elevator shall be built in a good substantial and workmanlike manner, under the supervision of a Competent Engineer, approved of by the above Committee.

4. The said Elevator shall have Railway connection and proper facilities for unloading boats and loading into railway cars, and all Railways now or thereafter entering the said Town shall have access to the said Elevator, on reasonable terms, for the purpose of carrying grain to and from said Elevator.

5. The said Elevator shall be provided with a modern marine leg, capable of handling and unloading at least 30,000 bushels of grain per hour, and shall be furnished with such ample plant, and machinery as shall be necessary to operate said marine leg to its full capacity.

6. The said Elevator shall be operated as a Public Elevator

7. The charges for elevating, unloading, storing and turning of Grain, shall not be in excess of similar charges for such services made at other Lake Huron and Georgian Bay Ports.

8. The Purchaser agrees to maintain and operate the said Elevator for a period of twenty-five years and make all necessary repairs to keep it up to standard, to the satisfaction of the Corporation, and in the event of default, the Corporation may make the repairs and charge same to the Purchaser and on demand the cost of same shall be paid by the Purchaser.

9. The construction of the said Elevator shall be commenced as early as possible in the Spring of 1928 and be thereafter proceeded with, with all due diligence, the idea being to secure the final completion and operation of the Elevator, if possible, before the close of navigation of the same year.

10. Upon satisfactory completion of the said Elevator, with the required dockage, and trackage for all lines of Railway entering said Town, ready for operation in all respects both by water and rail, and at full capacity, the Corporation agrees to sell to the Purchaser and the Purchaser agrees to purchase the said Elevator, at a price equal to the total cost of construction, dockage, trackage, Insurance, brokerage, cost of submission of By-law, cost of Special Act validating the same, and other necessary expenditure, including interest thereon, until the Elevator is taken over by the Purchaser, and the Purchaser thereupon agrees to pay the Corporation the sum of $100,000.00 in cash and upon such payment, is to be put into possession of said Elevator, Trackage, Dockage and other appurtenances thereto. The balance of the purchase money which in no event shall exceed the sum of $800,000.00 shall be paid in instalments at the same times and as nearly as may be in the same manner as the moneys secured by the Debentures issued by the Corporation to secure the funds necessary to pay for the said Elevator, are payable.

11. Should the cost of said Elevator exceed the sum of $800,000.00, such excess shall be paid and borne by the Purchaser.

12. The said Elevator, lands and docks in connection therewith shall for ten years next following the taking over of the said Elevator by the Purchaser, be assessed at not more than $100,000.00, but such fixed Assessment shall not affect taxation for school purposes or Local Improvements, and the said Town shall supply all water required for fire protection and for the operation of the said Elevator, free of charge, for the said period of ten years; provided, however, that the Purchaser shall pay one-half of the cost of extending the Watermains, and the work in connection therewith, from the nearest convenient hydrant.

13. The Purchaser agrees to insure, to the satisfaction of the Corporation, the said Elevator to the full insurable value, and shall deposit the Policies with the Treasurer of the said Corporation, with loss if any, made payable to the Corporation.

14. Upon payment by the Purchaser of the said cash payment of $100,000.00, the Corporation shall and will convey and assure, or cause to be conveyed and assured, to the Purchaser, the said Elevator and the lands and appurtenances connected therewith, by good and sufficient deeds, conveyances, assignments and transfers, and the Purchaser shall contemporaneously with the delivery of such deeds, conveyances, assignments and transfers, deliver to the Corporation, a good and valid First Mortgage, on the said property, securing payment of the balance of the said purchase money, at the times and in the manner herein provided for.

15. The Debentures to be issued by the Town shall run for a period of twenty-five years, the interest at five per cent per annum on the said Debentures to be payable half-yearly, and the instalment of principal money to be paid annually and to be computed from the date of the issue of the Debentures.

16. The said Corporation shall, by its Council as soon as possible, procure to be submitted to the electors of the Municipality under the provisions of The Municipal Act, a By-law authorizing the erection of the said Elevator, the issue of the debentures to pay for same and the sale of the said Elevator to the Purchaser, when completed.

17. In case said By-law is assented to by said Electors the Corporation shall by its Council, pass the said By-law and in case the said By-law shall not on submission receive the assent of the electors as required by The Municipal Act, then this Agreement and said By-law shall be null and void and of no effect.

18. The said Corporation will endeavour to procure from the Dominion Government, all necessary dredging and harbour work for the proper erection and operation of the said Elevator, including a ship channel from open water to the Elevator docks and a turning basin for the safe passage of vessels drawing 20 feet of water.

19. The Corporation agrees to apply to the Legislature for a Special Act authorizing and confirming the said By-law and Agreement.

20. This Agreement is conditional, on assurance satisfactory to the Purchaser, being received that the dredging and harbour work required in connection with said Elevator, will be performed by the Government.

21. A good and sufficient Surety Bond for the sum of $100,000.00 covering the first payment to be made, shall be furnished by the Purchaser to the Corporation, before any expenditure on the construction. The Purchaser further agrees to supply to the Corporation, a good and sufficient Surety Bond, guaranteeing payment to the Corporation the sum of $28,380.00 being one-half of the first year's principal and interest, falling due upon the said Debentures, after the taking over of the said Elevator, by the Purchaser or Incorporated Company.

22. It is understood and agreed by and between the Parties that in the event of the said Company making default in any payments, then the Incorporated Company shall cause to be elected, if so required, by the Corporation, Two Directors upon its Board, nominated or approved by the said Corporation.

23. In case of default by the Purchaser of any of the terms hereinbefore mentioned of this Agreement, for the term of one year, formal notice may be given by the Corporation to the Purchaser, of such default, and on the expiry of sixty days thereafter, unless in the meantime the default is remedied, the Corporation may terminate and cancel this Agreement and the property shall revert to the Corporation.

24. It is understood and agreed that the said Purchaser shall co-operate

with the said Corporation, in having the Construction Company employ local labour and purchase materials and supplies from local dealers.

25. Upon the confirmation of said By-law by the Legislature the Purchaser shall proceed to organize said Elevator Company, and upon the Organization thereof, shall assign this Agreement to the said Elevator Company, and thereupon this Agreement and any Agreement made pursuant thereto, shall enure to the benefit of and be obligatory upon said Elevator Company; and this Agreement shall be construed and read in all respects as if the said Elevator Company had been originally a party thereto and named as the Purchaser therein, and the Purchaser named herein shall thereupon be free from any and all liabilities hereunder, upon the said Incorporated Company agreeing with the said Corporation to assume the obligations of the Purchaser, as hereinbefore set forth.

In witness whereof the said Corporation has affixed its Corporate Seal, attested by the hands of the Mayor and Clerk, and the said Purchaser has hereunto set his hand and seal.

SIGNED, SEALED AND DELIVERED
in the presence of:
(Signed) R. E. FAIR.

(Signed) J. ROBINS ARTHUR, *Mayor.*

(Signed) W. H. WHIPPS, *Clerk.*

(Signed) W. H. WHIPPS as to signature of H. I. PRICE.

(Signed) H. I. PRICE.

(Signed) R. E. FAIR.

Ontario.
18 George V, 1928.

BILL.

An Act respecting the Town of Collingwood.

1st Reading

2nd Reading

3rd Reading

MR. WRIGHT (Centre Simcoe).

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 38. 1928.

BILL

An Act respecting the Town of Collingwood.

Preamble.

WHEREAS the corporation of the town of Collingwood has by its petition represented that by-law number 1042 has been submitted to the electors of the corporation duly qualified to vote thereon in accordance with the provisions of *The Municipal Act;* and that of the electors who voted on the said by-law, 1,171 voted in favour thereof and 10 voted against the said by-law; and that the said by-law was subsequently passed by the affirmative vote of three-fourths of all the members of the council of said corporation; and whereas the corporation has by its said petition prayed that the said by-law should be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of Collingwood Act, 1928.*

By-law No. 1042 confirmed.

2. *Subject to the provisions of this Act,* by-law number 1042 of the corporation of the town of Collingwood and the agreement dated the eleventh day of January, 1928, between the said corporation and one Henry Isaac Price connected therewith, both of which are set forth in schedule "1" hereto, are hereby ratified and confirmed and declared to be legal, valid and binding upon said corporation and the ratepayers thereof and upon the said Henry Isaac Price, his executors, administrators and assigns.

Power to purchase or lease site and to convey.

3. The said corporation may purchase or lease and pay for a site for the elevator mentioned in said agreement in or upon Collingwood harbour and may convey or transfer the same to the said Henry Isaac Price or his assigns. Such site when acquired shall constitute the lands referred to in paragraph one of said agreement and the cost thereof shall form part of the price of said elevator mentioned in paragraph ten of said agreement.

Appointment of member on committee.

4.—(1) The judge of the county court of the county of Simcoe on the application of the corporation or the purchaser may appoint an additional member of the committee mentioned in paragraph 2 of the said agreement.

Provision for any excess of cost over $800,000.

(2) The total cost of said elevator, in excess of $800,000, if any, shall be borne by the said Henry Isaac Price or his assigns and shall be paid to the corporation forthwith upon the completion of the said elevator.

Annual payments.

(3) The instalments payable to the corporation under the provisions of paragraph 10 of the said agreement shall be made annually and shall be equal to the amounts falling due in each year for principal and interest in respect of the debentures issued by the corporation under the authority of the said by-law number 1042.

Surety bonds.

(4) The surety bonds mentioned in paragraph 21 of the said agreement shall be surety bonds satisfactory to the corporation.

Name of company.

5. The name of the company to be formed pursuant to said agreement shall be Collingwood Terminals Limited, or such other name as the Lieutenant-Governor in Council may approve of.

By-law No. 1042 and debentures confirmed.

6. The debentures issued or to be issued under the provisions of said by-law number 1042 are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof; and the said corporation, the said Henry Isaac Price and the Elevator Company referred to in said agreement when incorporated are and each of them is hereby authorized and empowered to enter into all agreements, execute all documents and to do all acts and things necessary or convenient for the fulfillment and proper carrying out of said by-law and agreement.

Commencement of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "1"

BY-LAW NUMBER 1042 OF THE TOWN OF COLLINGWOOD

A By-law to provide for the borrowing of $800,000.00 upon Debentures, to pay for the erection and equipment of a Grain Elevator, and all other costs and expenses in connection therewith and incidental thereto, and to confirm a certain Agreement, dated the Eleventh day of January, A.D. 1928, made between the Municipal Corporation of the Town of Collingwood, and one Henry Isaac Price, of the City of Toronto, in the County of York, Gentleman, in connection therewith.

Whereas it is desirable and expedient to erect a Grain Elevator in the Town of Collingwood, as provided by The Consolidated Municipal Act, 1922, Ontario Statutes, Chapter 72, Section 398, Paragraph 24, as amended by 1924 Statutes, Chapter 53, Section 8.

And whereas it is desirable and expedient to confirm a certain Agreement dated the Eleventh day of January, A.D. 1928, between the Municipal Corporation of the Town of Collingwood, and Henry Isaac Price of the City of Toronto, in the County of York, Gentleman, for the sale of the said Grain Elevator, in accordance with the terms of the said Agreement, which Agreement is hereunto annexed as Schedule "A."

And whereas the Municipal Council of the Town of Collingwood has approved of the said Agreement.

And whereas for the said purpose, it is necessary to borrow the sum of $800,000.00 on the credit of the Corporation, and to issue Debentures, payable within twenty-five years from the time of the issue thereof, and bearing interest at the rate of five per cent. per annum, payable half-yearly, which is the amount of the debt intended to be created by this By-law, the proceeds of the said Debentures to be applied to the said purpose, and to no other.

And whereas $56,761.96 is the total amount required to be raised annually by a special rate for the term of twenty-five years for the payment of the said debt and interest thereon at the rate of five per cent. per annum, payable half-yearly, according to the terms of this By-law.

And whereas it is expedient that the principal of said debt shall be repayable in yearly sums during the period of twenty-five years, on such amounts respectively, that the aggregate amount payable for principal and interest in any year shall be equal as nearly as possible, to the amount so payable for principal and interest in each of the other years.

And whereas the amount of the whole rateable property of the Municipality, according to the last revised assessment roll is $4,263,807.00.

And whereas the amount of the existing Debenture debt of the Corporation (exclusive of Local Improvement Debts), secured by Special Rates or Assessments, is the sum of $375,652.65 and no part of the principal or interest is in arrears.

And whereas it is expedient to authorize, ratify and confirm the said Agreement hereinbefore recited.

Therefore the Municipal Council of the Town of Collingwood enacts as follows:—

1. That for the purpose aforesaid, it shall be lawful for the Municipal Council of the Town of Collingwood, to borrow on the credit of the Corporation at large, the sum of $800,000.00 and Debentures shall be issued therefor in sums of not less than One Hundred Dollars each bearing interest at the rate of five per cent. per annum, payable half-yearly, computed from the date of the issue, and have coupons attached for the payment of interest.

2. That the Debentures shall all bear the same date and shall be issued within two years after the date on which this By-law is passed and may bear any date within such two years and shall be payable in twenty-five annual instalments, during the twenty-five years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years, shall be as follows:—

Year	Principal	Interest	Total
1.....	$16,761 96	$40,000 00	$56,761 96
2.....	17,600 06	39,161 90	56,761 96
3.....	18,480 06	38,281 90	56,761 96
4.....	19,404 07	37,357 89	56,761 96
5.....	20,374 27	36,387 69	56,761 96
6.....	21,392 99	35,368 97	56,761 96
7.....	22,462 64	34,299 32	56,761 96
8.....	23,585 77	33,176 19	56,761 96
9.....	24,765 06	31,996 90	56,761 96
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11.....	27,303 48	29,458 48	56,761 96
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16.....	34,846 92	21,915 04	56,761 96
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18.....	38,418 74	18,343 22	56,761 96
19.....	40,339 67	16,422 29	56,761 96
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24.....	51,484 77	5,277 19	56,761 96
25.....	54,059 02	2,702 94	56,761 96
	$800,000 00	$619,049 00	$1,419,049 00

3. The Debentures as to both principal and interest may be expressed in Canadian Currency or Sterling Money of Great Britain, at the rate of One Pound Sterling for each Four Dollars and eighty-six and two-third cents, and may be payable at any place or places in Canada or Great Britain.

4. The Mayor and Treasurer of the Corporation shall sign and issue the Debentures and the Treasurer shall sign the interest coupons and the Debentures shall be sealed with the seal of the Corporation, and the Treasurer's signature may be printed, stamped, lithographed or engraved upon the said coupons.

5. During the twenty-five years, the currency of the said debt and Debentures, there shall be raised, assessed and levied yearly by special rate, sufficient therefor, on all the rateable property in the Municipality, a sum sufficient to discharge the several instalments of principal and interest accruing due on the said Debentures as the same become respectively payable, according to the provisions of this By-law.

6. All moneys raised from the said special rates or from the commutation thereof not immediately required for the payment of the interest shall be invested as required by law.

7. The Debentures may contain any clause providing for the registration thereof, authorized by any Statute relating to Municipal Debentures in force at the time of the issue thereof.

The execution of the said Agreement on behalf of the Corporation of the Town of Collingwood, is hereby authorized, ratified and confirmed and the said Agreement is hereby incorporated in this By-law and shall be read and confirmed as part thereof.

This By-law shall come into force and take effect immediately upon the final passing thereof.

Provisionally passed this Eleventh day of January, A.D. 1928.

Finally passed this ..... day of ....., A.D. 1928.

.....
Mayor.

.....
Clerk.

SCHEDULE "A" TO BY-LAW NUMBER 1042

Memorandum of Agreement made this Eleventh day of January, A.D. 1928.

BETWEEN:

THE CORPORATION OF THE TOWN OF COLLINGWOOD, hereinafter called the Corporation,

of the first part,

—and—

HENRY ISAAC PRICE, of the City of Toronto, in the County of York, Gentleman, hereinafter called the Purchaser,

of the second part.

Whereas to facilitate the transportation of Grain from the West to the Seaboard by way of the Great Lakes, and for Local Trade, facilities for the transhipment and temporary storage of grain are required at the Port of Collingwood.

And whereas the Corporation is authorized under the Provisions of Paragraph 24 of Section 398 of The Consolidated Municipal Act, 1922, as amended by Section 8 of Chapter 53 of 14 George V, to erect, maintain and operate Grain Elevators for discharging or loading vessels.

And whereas the said Corporation, in order to provide said facilities at the Port of Collingwood, are willing to construct a Grain Elevator.

And whereas the said Purchaser agrees to form a Company, under the name of Collingwood Elevator Company, Limited, or such other name as the Lieutenant-Governor in Council may approve of (hereinafter called the "Elevator Company"), with a subscribed capital of not less than $250,000.00 which will agree to purchase the said Elevator from the said Corporation, upon completion thereof, and thereafter to operate to the greatest possibility of the Grain Trade and maintain the same on the terms and conditions hereinafter set forth.

Now this indenture witnesseth that in consideration of the premises and the stipulations and covenants herein on the part of the said Parties severally contained, the said Parties hereby covenant, promise and agree each with the other of them, as follows:—

1. The said Corporation shall, subject to provisions hereinafter contained, erect a Grain Elevator of modern design and substantial concrete construction, with a storage capacity of not less than 2,000,000 bushels of grain on the following lands, namely—As per Schedule "A" attached—which said lands the said Corporation shall endeavour to acquire, on terms satisfactory to the Purchaser, from the Canadian National Railway, or some other site agreeable to the Purchaser and the Corporation within the limits of the said Town.

2. Plans and specifications of the said Elevator shall be submitted to a Committee of six persons, three of whom shall be appointed by the

Corporation, and three by the Purchaser, with power to substitute from time to time, and the said plans and specifications shall be approved and accepted by said Committee or a majority of them, before the construction shall be proceeded with, under this Agreement, including any alterations made thereafter.

3. The said Elevator shall be built in a good substantial and workmanlike manner, under the supervision of a Competent Engineer, approved of by the above Committee.

4. The said Elevator shall have Railway connection and proper facilities for unloading boats and loading into railway cars, and all Railways now or thereafter entering the said Town shall have access to the said Elevator, on reasonable terms, for the purpose of carrying grain to and from said Elevator.

5. The said Elevator shall be provided with a modern marine leg, capable of handling and unloading at least 30,000 bushels of grain per hour, and shall be furnished with such ample plant, and machinery as shall be necessary to operate said marine leg to its full capacity.

6. The said Elevator shall be operated as a Public Elevator

7. The charges for elevating, unloading, storing and turning of Grain, shall not be in excess of similar charges for such services made at other Lake Huron and Georgian Bay Ports.

8. The Purchaser agrees to maintain and operate the said Elevator for a period of twenty-five years and make all necessary repairs to keep it up to standard, to the satisfaction of the Corporation, and in the event of default, the Corporation may make the repairs and charge same to the Purchaser and on demand the cost of same shall be paid by the Purchaser.

9. The construction of the said Elevator shall be commenced as early as possible in the Spring of 1928 and be thereafter proceeded with, with all due diligence, the idea being to secure the final completion and operation of the Elevator, if possible, before the close of navigation of the same year.

10. Upon satisfactory completion of the said Elevator, with the required dockage, and trackage for all lines of Railway entering said Town, ready for operation in all respects both by water and rail, and at full capacity, the Corporation agrees to sell to the Purchaser and the Purchaser agrees to purchase the said Elevator, at a price equal to the total cost of construction, dockage, trackage, Insurance, brokerage, cost of submission of By-law, cost of Special Act validating the same, and other necessary expenditure, including interest thereon, until the Elevator is taken over by the Purchaser, and the Purchaser thereupon agrees to pay the Corporation the sum of $100,000.00 in cash and upon such payment, is to be put into possession of said Elevator, Trackage, Dockage and other appurtenances thereto. The balance of the purchase money which in no event shall exceed the sum of $800,000.00 shall be paid in instalments at the same times and as nearly as may be in the same manner as the moneys secured by the Debentures issued by the Corporation to secure the funds necessary to pay for the said Elevator, are payable.

11. Should the cost of said Elevator exceed the sum of $800,000.00, such excess shall be paid and borne by the Purchaser.

12. The said Elevator, lands and docks in connection therewith shall for ten years next following the taking over of the said Elevator by the Purchaser, be assessed at not more than $100,000.00, but such fixed Assessment shall not affect taxation for school purposes or Local Improvements, and the said Town shall supply all water required for fire protection and for the operation of the said Elevator, free of charge, for the said period of ten years; provided, however, that the Purchaser shall pay one-half of the cost of extending the Watermains, and the work in connection therewith, from the nearest convenient hydrant.

13. The Purchaser agrees to insure, to the satisfaction of the Corporation, the said Elevator to the full insurable value, and shall deposit the Policies with the Treasurer of the said Corporation, with loss if any, made payable to the Corporation.

14. Upon payment by the Purchaser of the said cash payment of $100,000.00, the Corporation shall and will convey and assure, or cause to be conveyed and assured, to the Purchaser, the said Elevator and the lands and appurtenances connected therewith, by good and sufficient deeds, conveyances, assignments and transfers, and the Purchaser shall contemporaneously with the delivery of such deeds, conveyances, assignments and transfers, deliver to the Corporation, a good and valid First Mortgage, on the said property, securing payment of the balance of the said purchase money, at the times and in the manner herein provided for.

15. The Debentures to be issued by the Town shall run for a period of twenty-five years, the interest at five per cent per annum on the said Debentures to be payable half-yearly, and the instalment of principal money to be paid annually and to be computed from the date of the issue of the Debentures.

16. The said Corporation shall, by its Council as soon as possible, procure to be submitted to the electors of the Municipality under the provisions of The Municipal Act, a By-law authorizing the erection of the said Elevator, the issue of the debentures to pay for same and the sale of the said Elevator to the Purchaser, when completed.

17. In case said By-law is assented to by said Electors the Corporation shall by its Council, pass the said By-law and in case the said By-law shall not on submission receive the assent of the electors as required by The Municipal Act, then this Agreement and said By-law shall be null and void and of no effect.

18. The said Corporation will endeavour to procure from the Dominion Government, all necessary dredging and harbour work for the proper erection and operation of the said Elevator, including a ship channel from open water to the Elevator docks and a turning basin for the safe passage of vessels drawing 20 feet of water.

19. The Corporation agrees to apply to the Legislature for a Special Act authorizing and confirming the said By-law and Agreement.

20. This Agreement is conditional, on assurance satisfactory to the Purchaser, being received that the dredging and harbour work required in connection with said Elevator, will be performed by the Government.

21. A good and sufficient Surety Bond for the sum of $100,000.00 covering the first payment to be made, shall be furnished by the Purchaser to the Corporation, before any expenditure on the construction. The Purchaser further agrees to supply to the Corporation, a good and sufficient Surety Bond, guaranteeing payment to the Corporation the sum of $28,380.00 being one-half of the first year's principal and interest, falling due upon the said Debentures, after the taking over of the said Elevator, by the Purchaser or Incorporated Company.

22. It is understood and agreed by and between the Parties that in the event of the said Company making default in any payments, then the Incorporated Company shall cause to be elected, if so required, by the Corporation, Two Directors upon its Board, nominated or approved by the said Corporation.

23. In case of default by the Purchaser of any of the terms hereinbefore mentioned of this Agreement, for the term of one year, formal notice may be given by the Corporation to the Purchaser, of such default, and on the expiry of sixty days thereafter, unless in the meantime the default is remedied, the Corporation may terminate and cancel this Agreement and the property shall revert to the Corporation.

24. It is understood and agreed that the said Purchaser shall co-operate

with the said Corporation, in having the Construction Company employ local labour and purchase materials and supplies from local dealers.

25. Upon the confirmation of said By-law by the Legislature the Purchaser shall proceed to organize said Elevator Company, and upon the Organization thereof, shall assign this Agreement to the said Elevator Company, and thereupon this Agreement and any Agreement made pursuant thereto, shall enure to the benefit of and be obligatory upon said Elevator Company; and this Agreement shall be construed and read in all respects as if the said Elevator Company had been originally a party thereto and named as the Purchaser therein, and the Purchaser named herein shall thereupon be free from any and all liabilities hereunder, upon the said Incorporated Company agreeing with the said Corporation to assume the obligations of the Purchaser, as hereinbefore set forth.

In witness whereof the said Corporation has affixed its Corporate Seal, attested by the hands of the Mayor and Clerk, and the said Purchaser has hereunto set his hand and seal.

SIGNED, SEALED AND DELIVERED
in the presence of:
(Signed) R. E. FAIR.

(Signed) J. ROBINS ARTHUR, *Mayor*.

(Signed) W. H. WHIPPS, *Clerk*.

(Signed) W. H. WHIPPS as to signature of H. I. PRICE.

(Signed) H. I. PRICE.

(Signed) R. E. FAIR.

The Public Library Must Become National Property.

TORONTO:

Ontario.
18 George V, 1928.

BILL.

An Act respecting the Town of Collingwood.

1st Reading

February 14th, 1928.

2nd Reading

3rd Reading

MR. WRIGHT (Centre Simcoe).

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 39. 1928.

BILL

An Act respecting the City of Windsor.

Preamble.

WHEREAS the corporation of the city of Windsor has by its petition represented that on the 5th day of December, 1927, a certain by-law, being number 3808 of the city of Windsor, was passed by the council of the said city for submitting to the electors the question as to whether they were in favour of an application being made to the Legislative Assembly for an Act changing the method of election, number and tenure of office of members of the council; that the said question was duly submitted to the qualified electors of the city of Windsor on the 5th day of December, 1927, and the said electors by a majority of votes, voted in favour of the application described in the said by-law; that the said corporation by its petition has prayed that an Act be passed to carry into effect the provisions of said by-law for the municipal government of the said city of Windsor; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of Windsor Act, 1928*.

Commencement of ss. 1-7.

2. After the 31st day of December, 1928, the provisions of sections 1 to 7 inclusive of this Act shall apply to the corporation of the city of Windsor and insofar as the provisions of this Act shall alter, vary or change the provisions of *The Municipal Act* or any other public Act in respect of civic government within the city of Windsor, the provisions of this Act shall prevail.

Rev. Stat., c. 233.

City Council,— how composed.

3. For the year 1929 and thereafter the council of the city of Windsor shall be composed of a mayor and six aldermen who shall be elected by a general vote of the qualified electors of the city.

Term of office of aldermen.

4. At the first annual municipal election after the said date there shall be elected six aldermen; the three having

the highest number of votes at such election shall hold office for a term of two years and the remaining three for a term of one year only and at each annual election thereafter there shall be elected three aldermen who shall hold office for a term of two years; provided that in the event of the election by acclamation of the six aldermen for the year 1929, the three having the highest assessment according to the last revised assessment roll shall hold office for a term of two years and the remaining three shall hold office for a term of one year.

Mayor,— election and term of office.

5. At the first said annual election and every two years thereafter there shall be elected a mayor who shall hold office for a term of two years, except as hereinafter provided.

Where vacancy in office of alderman.

Rev. Stat., c. 233.

6. In the event of the death, resignation or removal from office for any cause under the provisions of *The Municipal Act* of any alderman during his term of office, the candidate at the last preceding election having the next highest number of votes shall be declared elected as alderman for the unexpired term of the person so dying, resigning or being removed from office; provided that in case of the candidates at the last preceding election having been elected by acclamation, the vacancy so created shall be filled by the election of another alderman by the council for the unexpired term of office of the alderman so dying, resigning or being removed from office.

Where vacancy in office of mayor.

7. In the event of the death, resignation or removal from office for any cause under the provisions of *The Municipal Act* of the mayor during his term of office, the office of mayor shall be filled by the council by the election of one of its members to fill the office of mayor for the unexpired term of the then current year and at the next annual election and every two years thereafter, a mayor shall be elected who shall hold office for a term of two years as hereinbefore provided.

Rev. Stat., c. 233 and other Acts to apply.

8. All the provisions of *The Municipal Act* and all other Acts relating to the matters hereinbefore contained shall remain in full force and effect except insofar only as they are inconsistent with the provisions of this Act.

Commencement of Act.

9. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

An Act respecting the City of Windsor.

1st Reading

2nd Reading

3rd Reading

MR. WILSON (East Windsor).

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 39. 1928.

BILL

An Act respecting the City of Windsor.

Preamble.

WHEREAS the corporation of the city of Windsor has by its petition represented that on the 5th day of December, 1927, a certain by-law, being number 3808 of the city of Windsor, was passed by the council of the said city for submitting to the electors the question as to whether they were in favour of an application being made to the Legislative Assembly for an Act changing the method of election, number and tenure of office of members of the council; that the said question was duly submitted to the qualified electors of the city of Windsor on the 5th day of December, 1927, and the said electors by a majority of votes, voted in favour of the application described in the said by-law; that the said corporation by its petition has prayed that an Act be passed to carry into effect the provisions of said by-law for the municipal government of the said city of Windsor; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of Windsor Act, 1928*.

City Council,—how composed.

2. For the year 1929 and thereafter the council of the city of Windsor shall be composed of a mayor and six aldermen who shall be elected by a general vote of the qualified electors of the city.

Term of office of aldermen.

3. At the *next* annual municipal election *and thereafter*, there shall be elected six aldermen; the three having the highest number of votes at such election shall hold office for a term of two years and the remaining three for a term of one year only and at each annual election thereafter there shall be elected three aldermen who shall hold office for a term of two years; provided that in the event of the election by acclamation of the six aldermen for the year 1929, the three having the highest assessment according to the last revised assessment roll shall hold office for a term of two years and the remaining three shall hold office for a term of one year.

Mayor,—election and term of office.

4. At the *next* said annual election and every two years thereafter there shall be elected a mayor who shall hold office for a term of two years, except as hereinafter provided.

Where vacancy in office of alderman.

Rev. Stat., c. 233.

5. In the event of the death, resignation or removal from office for any cause under the provisions of *The Municipal Act* of any alderman during his term of office, the candidate at the last preceding election having the next highest number of votes shall be declared elected as alderman for the unexpired term of the person so dying, resigning or being removed from office; provided that in case of the candidates at the last preceding election having been elected by acclamation, the vacancy so created shall be filled by the election of another alderman by the council for the unexpired term of office of the alderman so dying, resigning or being removed from office.

Where vacancy in office of mayor.

6. In the event of the death, resignation or removal from office for any cause under the provisions of *The Municipal Act* of the mayor during his term of office, the office of mayor shall be filled by the council by the election of one of its members to fill the office of mayor for the unexpired term of the then current year and at the next annual election and every two years thereafter, a mayor shall be elected who shall hold office for a term of two years as hereinbefore provided.

Rev. Stat., c. 233 and other Acts to apply.

7. All the provisions of *The Municipal Act* and all other Acts relating to the matters hereinbefore contained shall remain in full force and effect except insofar only as they are inconsistent with the provisions of this Act.

Commencement of Act.

8. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

An Act respecting the City of Windsor.

1st Reading

February 17th, 1928

2nd Reading

3rd Reading

MR. WILSON (East Windsor).

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 40. 1928.

BILL

An Act to annul the Incorporation of the Village of Wroxeter.

Preamble. WHEREAS the village of Wroxeter has by its petition represented that it was incorporated by by-law number 12 for 1874 of the county council of the county of Huron and the lands so erected into an incorporated village included an area of four hundred and eighty-three and one-half acres and that by chapter 35 of the Acts passed in the 38th year of the reign of Her late Majesty Queen Victoria the said by-law was confirmed and that by an order of the Ontario Railway and Municipal Board made on the 17th day of December, 1924, certain farm lands were detached from the said village, and the area thereof now comprises three hundred and seventy-eight acres; that the preamble of the said by-law sets forth that the population of the said area was seven hundred and sixty-four inhabitants; that the population of said village has steadily declined and the whole resident population of the said village as appeared by the last revised assessment roll is two hundred and ninety; that the said village has now no industries of importance to justify its continuance as an incorporated village; that the maintenance of schools and other public services has become burdensome; and that the municipal council of the said village and a large majority of the freeholders, according to the last revised assessment roll thereof have by petition prayed that an Act be passed to annul the incorporation of the said village; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1**. This Act may be cited as *The Village of Wroxeter Act, 1928*.

38 Vic., c. 35, repealed. **2**. Chapter 35 of the Acts passed in the 38th year of the reign of Her late Majesty Queen Victoria is hereby repealed and the incorporation of the village of Wroxeter is annulled.

Annexation to Township of Howick.

3. The territory comprised within the said village of Wroxeter and lying east of the boundary between the townships of Howick and Turnberry is hereby annexed to and shall form part of the township of Howick, and the territory comprised within the said village of Wroxeter and lying west of the said boundary is hereby annexed to and shall form part of the township of Turnberry.

Assets and liabilities of village.

4. All debts and liabilities of the said village existing on the 1st day of January, 1929, shall be assumed by the corporation of the township of Howick but shall be a charge upon the lands now comprised in the said village lying east of the boundary line between said townships of Howick and Turnberry; and all assets of the said village shall from the 1st day of January, 1929, be deemed to be assets of the said corporation of the township of Howick.

Commencement of Act.

5. This Act shall come into force on the 1st day of January, A.D. 1929.

Ontario.
18 George V, 1928.

BILL.

An Act to annul the Incorporation of the Village of Wroxeter.

1st Reading

2nd Reading

3rd Reading

MR. ROBERTSON (Huron North).

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 40. 1928.

BILL

An Act to annul the Incorporation of the Village of Wroxeter.

Preamble. WHEREAS the village of Wroxeter has by its petition represented that it was incorporated by by-law number 12 for 1874 of the county council of the county of Huron and the lands so erected into an incorporated village included an area of four hundred and eighty-three and one-half acres and that by chapter 35 of the Acts passed in the 38th year of the reign of Her late Majesty Queen Victoria the said by-law was confirmed and that by an order of the Ontario Railway and Municipal Board made on the 17th day of December, 1924, certain farm lands were detached from the said village, and the area thereof now comprises three hundred and seventy-eight acres; that the preamble of the said by-law sets forth that the population of the said area was seven hundred and sixty-four inhabitants; that the population of said village has steadily declined and the whole resident population of the said village as appeared by the last revised assessment roll is two hundred and ninety; that the said village has now no industries of importance to justify its continuance as an incorporated village; that the maintenance of schools and other public services has become burdensome; and that the municipal council of the said village and a large majority of the freeholders, according to the last revised assessment roll thereof have by petition prayed that an Act be passed to annul the incorporation of the said village; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1**. This Act may be cited as *The Village of Wroxeter Act, 1928*.

38 Vic., c. 35, repealed. **2**. Chapter 35 of the Acts passed in the 38th year of the reign of Her late Majesty Queen Victoria is hereby repealed and the incorporation of the village of Wroxeter is annulled.

Annexation to Township of Howick.

3. The territory comprised within the said village of Wroxeter and lying east of the boundary between the townships of Howick and Turnberry is hereby annexed to and shall form part of the township of Howick, and the territory comprised within the said village of Wroxeter and lying west of the said boundary is hereby annexed to and shall form part of the township of Turnberry.

Assets and liabilities of village.

4. All debts and liabilities of the said village existing on the 1st day of January, 1929, shall be assumed by the corporation of the township of Howick but shall be a charge upon the lands now comprised in the said village lying east of the boundary line between said townships of Howick and Turnberry; and all assets of the said village shall from the 1st day of January, 1929, be deemed to be assets of the said corporation of the township of Howick.

Submission of question.

5. The following question shall be submitted to the municipal electors of the said village prior to the 1st day of June, 1928:

> Are you in favour of the annulment of the incorporation of the village of Wroxeter?

and if a majority of those voting vote in the affirmative in answer to such question then sections 1 to 4 shall come into force on the 1st day of January, 1929.

Commencement of Act.

6. Section 5 shall come into force on the day upon which it receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

An Act to annul the Incorporation of the Village of Wroxeter.

1st Reading

February 14th, 1928.

2nd Reading

3rd Reading

MR. ROBERTSON (Huron North).

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 41. 1928.

BILL

An Act respecting the Town of Perth.

Preamble.

WHEREAS the corporation of the town of Perth has, by its petition, represented that a floating debt of $29,393.45 has been incurred by reason of an annual deficit in the operation of the waterworks system of the town since the year 1918; and whereas the said corporation has further represented that the public utilities commission, operating the said waterworks system, are revising the schedule of rates charged to the users of water, whereby the revenue derived therefrom will be sufficient to pay all charges of operation of the said system and to pay interest and annual instalments of principal upon the debentures proposed to be created under the authority of this Act; and whereas the said corporation has represented that to liquidate the said floating indebtedness forthwith, in addition to meeting the ordinary annual expenditures, would be unduly oppressive to the ratepayers and has prayed that power should be granted to consolidate the said debt and to issue debentures therefrom in an amount not exceeding $30,000, payable twenty years after the issue thereof; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of Perth Act, 1928*.

Floating debt consolidated.

2. The floating debt of the corporation of the town of Perth is consolidated at the sum of $29,393.45 and it shall and may be lawful for the council of the said corporation to pass a By-law authorizing an issue of debentures to the amount of not more than $30,000 for the purpose of paying the said floating debt.

Term of debentures and interest.

3. The said debentures shall be payable in not more than twenty years from the date of the issue thereof and shall bear interest at a rate not exceeding 5 per centum per annum and may be issued with or without coupons attached thereto for

interest and shall be payable at such place or places as the corporation may deem expedient.

Payment on instalment plan.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be, to what is payable for principal and interest during each of the other years of the period within which the said debts are to be discharged.

Special rate.

5. The said corporation shall levy and collect in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application of proceeds of debentures.

6. The proceeds of the said debentures shall be applied by the said corporation to the payment of the said indebtedness of $29,393.45 and for no other purposes whatever.

Assent of electors not required.

7. It shall not be necessary to obtain the assent of the electors or ratepayers of the town of Perth to the passing of any by-law which shall be passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat. c. 233.

Irregularity in form not to invalidate.

8. No irregularity in the form of the said debentures, or any of them, or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Commencement of Act.

9. This Act shall come into force on the day upon which it receives the Royal Assent.

2nd Session, 17th Legislature
Ontario.
18 George V, 1928.

BILL.

An Act respecting the Town of Perth.

1st Reading

2nd Reading

3rd Reading

MR. STEDMAN.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 41. 1928.

BILL

An Act respecting the Town of Perth.

Preamble.

WHEREAS the corporation of the town of Perth has, by its petition, represented that a floating debt of $29,393.45 has been incurred by reason of an annual deficit in the operation of the waterworks system of the town since the year 1918; and whereas the said corporation has further represented that the public utilities commission, operating the said waterworks system, are revising the schedule of rates charged to the users of water, whereby the revenue derived therefrom will be sufficient to pay all charges of operation of the said system and to pay interest and annual instalments of principal upon the debentures proposed to be created under the authority of this Act; and whereas the said corporation has represented that to liquidate the said floating indebtedness forthwith, in addition to meeting the ordinary annual expenditures, would be unduly oppressive to the ratepayers and has prayed that power should be granted to consolidate the said debt and to issue debentures therefrom in an amount not exceeding $30,000, payable *fifteen* years after the issue thereof; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of Perth Act, 1928.*

Floating debt consolidated.

2. The floating debt of the corporation of the town of Perth is consolidated at the sum of $29,393.45 and *the said corporation may borrow by a special issue of debentures a sum not exceeding* $30,000 for the purpose of paying the said floating debt.

Term of debentures and interest.

3. The said debentures shall be *made* payable in not more than *fifteen* years from the date of the issue thereof and shall bear interest at a rate not exceeding 5 per centum per annum and may be issued *either* with or without coupons attached

thereto for interest and shall be payable at such place or places as the corporation may deem expedient.

Payment on instalment plan.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debt *is* to be discharged.

Special rate.

5. The said corporation shall levy and collect in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application of proceeds of debentures.

6. The said debentures *and all moneys arising from the sale thereof* shall be applied *in* payment of the said *floating debt* of $29,393.45 and for no other purpose.

Assent of electors not required.

7. It shall not be necessary to obtain the assent of the electors of the town of Perth to the passing of any by-law which shall be passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act.*

Rev. Stat. c. 233.

Irregularity in form not to invalidate.

8. No irregularity in the form of the said debentures, or any of them, or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to keep proper books of account.

☞**9.** It shall be the duty of the treasurer for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures and the application which shall, from time to time, be made of

the said amounts; and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

10. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario.
18 George V, 1928.

BILL.

An Act respecting the Town of Perth.

1st Reading

February 27th, 1928.

2nd Reading

3rd Reading

MR. STEDMAN.

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 42. 1928.

BILL

An Act respecting the Congregation of the Presbyterian Church of Canada in Markham.

Preamble.

WHEREAS the congregation of the Presbyterian Church of Canada (Continuing Presbyterians) at Markham has by its petition represented that the vote on the question of the union of the Presbyterian, Methodist and Congregational Churches in Canada carried by a small majority; and that in fact a minority of the congregation carried with them into the United Church of Canada the whole of the property of the Presbyterian Church in Markham leaving an actual majority to continue their church without any buildings, property or money; and whereas the congregation of the Presbyterian Church in the village of Markham has by its petition prayed that an Act be passed vesting in trustees for the said congregation the property used until church union as the manse and cemetery of the Presbyterian Church in Markham, and directing that the Morgan Fund be held for the benefit of the said congregation and be vested in the trustees of the said congregation; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Markham Presbyterian Church Act, 1928*.

Vesting of certain lands.

2. The lands described in clause (*a*) of this section are hereby vested in the trustees for the congregation of the Continuing Presbyterian Church at Markham (not connected with the United Church of Canada),—

(*a*) All and singular that certain parcel or tract of land and premises situate, lying and being in the village of Markham, in the county of York, and being composed of the north half of lot number three in block "D" according to plan number 18 filed in the Registry Office for the county of York.

Vesting of certain lands.

3.—(1) All of the estate, right, title and interest of the trustees for the congregation of the United Church of Canada at the village of Markham, together with all the right, title and interest of the said congregation in the lands particularly described in clause (*a*) of this section, which lands are now used as a cemetery, together with all funds, securities, bonds and vouchers, held by or for the said trustees or the said congregation, for or in connection with the maintenance of the said cemetery or any portion thereof, are hereby vested in the trustees for the congregation of the Continuing Presbyterian Church at Markham (not connected with the United Church of Canada),—

(*a*) Firstly, all and singular that certain parcel or tract of land and premises situate, lying and being in the township of Markham being composed of part of lot number 10 in the eighth concession of the said township containing by admeasurement one acre be the same more or less and butted and bounded as follows, that is to say: Commencing in the northern limit of the said lot at the distance of twenty-seven chains from the northwest angle thereof, thence north forty-four degrees east four chains, thence south nine degrees, east two chains and a half; thence south forty-four degrees, west four chains, thence north nine degrees, west two chains and a half to the place of beginning;

Secondly, all and singular that certain parcel or tract of land and premises, situate, lying and being in the township of Markham, being composed of part of lot number 10 in the eighth concession of the said township containing by admeasurement one and one-eighth acres (1 1/8) more or less and more particularly known and described as follows, that is to say: Commencing at the northeast corner of the burial ground now known as the burial ground of the congregation of the religious body known as the Presbyterian Church in Canada, thence north seventy-four degrees nine rods; thence south nine degrees east five chains; thence south seventy-four degrees west nine rods to the land owned by James Scott and John Germain; thence north nine degrees, west and along the eastern boundary of the burial ground aforesaid five chains to the place of beginning.

Rights of purchasers of lots preserved.

(2) Nothing in this section shall prejudice the rights of persons who have purchased lots in the said burying ground and the said trustees shall acquire the properties hereby vested in them subject to all such rights.

4. All the estate, right, title and interest of the trustees of the fund bequeathed by Thomas and George Morgan, both late of the village of Markham, and known as the Morgan Fund, together with all funds, securities, bonds and vouchers held by or for the said trustees in connection with the said Morgan Fund, are hereby vested in the trustees for the congregation of the Continuing Presbyterian Church at Markham (not connected with the United Church of Canada). Vesting of Morgan Fund.

5. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act respecting the Congregation of the Presbyterian Church of Canada in Markham.

1st Reading

February 23rd, 1928.

2nd Reading

3rd Reading

MR. NESBITT.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 43. 1928.

BILL

An Act respecting the Township of Teck.

Preamble.

WHEREAS the corporation of the township of Teck has by its petition represented that sewers and waterworks have been constructed in the township and that by-laws numbers 119, 158, 170, 194, 198, 254 and 326 have been passed authorizing the issue of debentures to pay for the cost of the works mentioned in the said by-laws; that the cost of the said works mentioned in said by-laws numbers 119, 158, 170, 194 and 198 is assessed upon the whole rateable property in the township of Teck and the cost of the works mentioned in by-laws numbers 254 and 326 is assessed on all the rateable property in that portion of Union School section number 2, township of Teck and Lebel which is situate in the township of Teck; that the works mentioned in said by-laws benefit only a portion of the township or a portion of the rateable property assessed therefor, and that it is desirable while maintaining each of said by-laws in full force and effect to provide that the portion or portions of the township benefitted by the said work shall bear the cost thereof; that certain works have been constructed within that portion of Union School section number 2, township of Teck and Lebel situate in the township of Teck as local improvements under the provisions of *The Local Improvement Act*, and it is desirable to provide that the corporation's portion of the cost shall be assessed upon a designated section or area and not upon the township at large; and whereas the corporation has by its petition prayed that an Act may be passed for the purposes aforesaid; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Township of Teck Act, 1928.*

Distribution of assessment of amounts equal to assessments under certain by-laws.

2. The municipal council of the township of Teck is hereby empowered to assess and levy in each and every year of the

currency of the debentures authorized by by-laws numbers 119, 158, 170, 194, 198, 254 and 326 respectively, commencing with the year 1928, in addition to and not in substitution for the respective amounts required to be raised annually under each of said by-laws, an amount equal to the aggregate of said respective amounts and three-fourths of said amount shall be assessed and levied on the whole rateable property within that portion of Union School section number 2, township of Teck and Lebel situate in the township of Teck and the balance shall be assessed and levied on the whole rateable property in the township of Teck comprised in plans numbers M-15, Timiskaming, M-32, Timiskaming, M-46, Timiskaming, M-53, Timiskaming, M-68, Timiskaming, M-91, Timiskaming, and M-93, Timiskaming, filed in the Office of Land Titles at Haileybury, Ontario, and the said amount when collected shall be applied annually, commencing with the year 1929, in satisfaction in *toto* or *pro tanto* of the respective amounts required to be assessed and levied annually under each of said by-laws.

Assessment of Corporation's portion of cost where no debentures issued.

3. Where any work has heretofore been undertaken as a local improvement pursuant to the provisions of *The Local Improvement Act* within that portion of Union School section number 2, township of Teck and Lebel situate in the township of Teck and no by-law has been passed authorizing the issue of debentures to pay for the cost thereof, notwithstanding anything contained in or omitted from the by-law for undertaking the work, that part of the cost which would otherwise be the corporation's portion of the cost of said work shall be assessed and levied on the whole rateable property in that defined section or area comprising the portion of Union School section number 2, township of Teck and Lebel situate in the township of Teck.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act respecting the Township of Teck.

1st Reading,
February 23rd, 1928.

2nd Reading

3rd Reading

MR. KENNING.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 44. 1928.

BILL

An Act respecting Victoria University and Union Theological College.

Preamble.

WHEREAS the Board of Regents of Victoria University and the Board of Management of Union Theological College have by their petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Victoria University Act, 1928.*

Interpretation.

2. In this Act,—

(*a*) "Board" shall mean the Board of Regents of Victoria University;

(*b*) "Graduates" shall mean and include not only the graduates of Victoria University prior to federation with the University of Toronto but also all those graduates under federation enrolled in Victoria University at the time of their graduation;

(*c*) "Alumni of Emmanuel College" shall mean:

i. All those who have received a degree in Divinity from Victoria University; or who have received a degree in Divinity from Knox College previous to May 1st, 1927, those persons only excepted who, having been connected with the Presbyterian Church in Canada on June 9th, 1925, are at the date when this Act comes into force not connected with the United Church of Canada.

ii. All those who have completed a regular course in Theology prescribed for ordination to the

ministry in Emmanuel College, or in the Faculty of Theology of Victoria University, or in Union Theological College.

iii. All those who previous to May 1st, 1927, completed in Knox College a regular course prescribed for ordination to the ministry, those persons only excepted who, having been connected with the Presbyterian Church in Canada on June 9th, 1925, are at the date when this Act comes into force not connected with the United Church of Canada.

iv. All ministers of the United Church of Canada who have completed one full year in theology in Emmanuel College, or in the Faculty of Theology of Victoria University, or in Union Theological College, or prior to May 1st, 1927, in Knox College.

Royal Charter.

3. The Royal Charter granted in the seventh year of the reign of His late Majesty King William the Fourth incorporating the Upper Canada Academy shall remain in full force and effect save and except in so far as it may have been amended by any Act of the Legislature of the late Province of Canada or of the Province of Ontario or by this Act.

Victoria University continued.

4. Victoria University as established by the said Royal Charter and by Acts of the Legislature of the late Province of Canada and of the Province of Ontario is hereby continued and shall continue to be called and known as Victoria University.

Management and administration.

5.—(1) The said Victoria University shall be under the management and administration of "The Board of Regents of Victoria University" which is hereby continued as a body corporate under that name.

Constitution of Board.

(2) The Board shall consist of forty-two members to be elected or appointed every two years and holding office until their successors are elected or appointed as follows:

(*a*) Twenty-two members by vote of the General Council of the United Church of Canada.

(*b*) Three *ex-officio* members being the Chancellor of Victoria University, the Principal of Victoria College and the Principal of Emmanuel College.

(*c*) Five members by vote of the graduates in Arts, Medicine, Science and Law of Victoria University.

(*d*) Five members by vote of the Alumni of Emmanuel College.

(*e*) Seven members to be elected at a joint meeting to be called by the General Secretary of the Board for that purpose consisting of the twenty-two representatives from the General Council of the United Church of Canada, the *ex-officio* members and the members elected to the Board by the said graduates in Arts, Medicine, Science and Law and the Alumni of Emmanuel College.

Election.

(3) The election of the seven members mentioned in clause (*e*) shall be conducted according to the regulations which may from time to time be made by the Board.

First meeting of Board and election of chairman.

6. The Board shall at the first meeting to be held after the passing of this Act elect a chairman to hold office until the next election of the members of the Board and thereafter following each election of a new Board shall at its first meeting elect a chairman. Should a vacancy in the office of the chairman at any time occur the Board shall forthwith elect a new chairman. The first meeting of the Board shall be called by the Chancellor or by the principal of either college.

Power to hold land.

Rev. Stat., c. 1.

7. The Board shall have in addition to the powers, rights and privileges mentioned in section 27 of *The Interpretation Act*, power to purchase, acquire, take and hold by gift, devise or otherwise real and personal property for the purpose of the university without license in mortmain and may grant, sell, mortgage, lease and otherwise dispose of the same or any part thereof.

Vesting of property.

8. All real and personal property now vested in Victoria University, in the Board of Regents of Victoria University, in Union Theological College or the Board of Management thereof shall be and it is hereby vested in the Board.

Powers of Board.

9. The Board shall have power,—

To make rules and regulations and appoint committees.

(*a*) To make rules and regulations pertaining to the meetings of the Board and its transactions, for fixing the quorum of the Board, and for the appointment of such committees as it may deem necessary, and for conferring on any such committees power and authority to act for the Board in and in relation to such matters as the Board may deem it expedient to delegate to a committee with power to act for the Board.

To make other appointments.

(*b*) To appoint a Chancellor who may also be called President of Victoria University, a Principal of Victoria College, a Principal of Emmanuel College, professors, lecturers, instructors, demonstrators, tutors, masters and all officers, agents and servants of the university and its colleges and to dismiss the same and to determine their salaries, duties and tenure of office which, unless otherwise provided, shall be at the pleasure of the Board; provided, however, that the members of the Faculty of Emmanuel College shall be appointed or dismissed only by a majority vote of the members of the Board and also by a majority vote of those members of the Board elected by the General Council of the United Church of Canada present at a meeting duly called for the purpose. No appointment to the permanent teaching staff of either college shall be made until the Chancellor and the Principal of such college shall have consulted with the teaching staff of the department concerned in the case of Victoria College, and with the council of the college, in the case of Emmanuel College and until the result of such consultation has been reported to the Board. The appointment of the principal and professors of Emmanuel College shall be subject to confirmation by the General Council of the United Church of Canada or by a duly authorized board or committee of the General Council.

Respecting membership on Board.

(*c*) To make such regulations as may be necessary or advisable for the holding of nominations and elections for membership on the Board.

Respecting retirement and gratuities

(*d*) To make regulations respecting and providing for the retirement and superannuation of any of the persons mentioned in clause (*b*), or the payment of a gratuity to any of them upon retirement and provide that any superannuation or retiring allowance or gratuity shall be paid out of a fund which may be created for that purpose either with the money of the Board or from contributions from such persons or partly by both.

To invest moneys.

(*e*) Subject to the limitations imposed by any trust as to the same, to invest all such money as shall come to the hands of the Board and is not required to be expended for any purpose to which it lawfully may be applied, in such manner as to the Board may seem meet.

(*f*) To lay out and expend such sums as the Board may deem necessary for the erection, furnishing, maintenance and equipment of such buildings as are or may be deemed necessary for the purposes of Victoria University or the students thereof; provided, however, that the Senate and the council of the college concerned shall be invited to inspect all plans of buildings and may make suggestions with regard thereto. To erect and equip buildings.

(*g*) To establish such faculties, departments, chairs and courses of instruction in Victoria University or its colleges as to the Board may seem meet. To establish faculties, etc.

(*h*) To receive and administer all gifts, legacies, devises, grants, subscriptions and donations for Victoria University and its colleges. To receive and administer gifts.

(*i*) To impose tuition and other fees on the students of Victoria University. To fix fees.

(*j*) To keep proper books of account of the financial affairs of Victoria University and to present a report of the said university, accompanied by a duly audited financial account to each meeting of the General Council of the United Church of Canada. To keep account of financial matters and report thereon.

(*k*) To establish a committee to be known as the Library Board to consist of four members appointed by the Council of Victoria College, four members by the Council of Emmanuel College and four members by the Board and to vest in such committee (subject to such limitations as may be deemed advisable) the care, control and management of the library of Victoria University and its colleges. To establish library board and control library.

(*l*) To make all such regulations and provisions and do all such matters and things as may seem necessary or advisable for the welfare, advancement and good government of Victoria University which are not by this Act assigned to any other body. General powers.

10. If a vacancy occurs in the Board from among the members elected by the General Council of the United Church of Canada such vacancy shall be filled by the executive committee of the said General Council. If a vacancy occurs from among the other members of the Board the vacancy shall be filled by the Board, but in the case of a vacancy from among the members elected by the graduates or by the Alumni the Board shall appoint a graduate or alumni as the case may be, to fill the vacancy. Vacancies in Board.

Execution of documents.

11. All deeds, mortgages, discharges of mortgages, papers, documents, agreements and other instruments in writing shall be executed on behalf of the Board by the Chancellor or the chairman of the Board and by the treasurer or the principal of either college and the corporate seal of the university shall be affixed thereto.

Senate and constitution thereof.

12.—(1) There shall be a Senate of Victoria University which shall consist of the following:

All members of the Board of Regents of Victoria University;

All permanent members of the teaching staff of Victoria College and Emmanuel College;

Six representatives elected every two years by the graduates of the faculties of Arts, Medicine, Science and Law of Victoria University;

The six representatives to the Council of Emmanuel College who shall have been elected by the Alumni and

Two representatives appointed by Albert College.

First members of Senate.

(2) The first members of the Senate in addition to the representatives of Albert College, the permanent members of the teaching staff of Victoria College and of Emmanuel College and of the members of the Board of Regents of Victoria University and the six representatives to the Council of Emmanuel College who shall have been elected by the Alumni, shall be: H. W. Gundy, B.A.; H. W. Aikins, B.A., M.D.; Mrs. D. H. Duff, B.A.; Miss E. F. Adams, B.A.; F. H. Clarke, B.A., and F. C. Colbeck, B.A., who shall be deemed to be the six representatives elected by the graduates of the Faculties of Arts, Medicine, Science and Law of Victoria University.

Term of office of first members.

(3) The said members of the Senate shall hold office until their successors are elected.

First election to Senate.

(4) The first election of members to the Senate shall be held at such time in the year 1930 as may be determined by the Senate.

Powers of Senate.

13. The Senate shall have power,—

To make certain regulations.

(*a*) To provide for the regulation and conduct of its proceedings, including the determination of the quorum necessary for the transaction of business;

(*b*) Subject to the provisions of *The University Act*, to provide for the granting of and to grant degrees, including honorary degrees in the several colleges and faculties which are or may from time to time be established and to determine the courses of study and qualifications for degrees; To grant degrees. Rev. Stat., c. 337.

(*c*) To make such regulations as may be deemed necessary and proper for the nomination and election of members to the Senate; Respecting membership of Senate.

(*d*) To make regulations and deal with all such matters of a strictly educational nature as have not in this Act been assigned to either of the colleges; To make regulations of educational nature.

(*e*) To summon and provide for the holding of Convocation, for the conferring of degrees and for such other purposes as may be determined by the Senate; Respecting Convocation.

(*f*) To appoint the representative of Victoria University on the Senate of the University of Toronto; provided, however, that no person who is a member of the Council of Emmanuel College shall be entitled to vote on any such appointment; To appoint representatives on Senate of University of Toronto.

(*g*) To deal with such other matters and affairs as may from time to time be committed to it by the Board. General powers.

14.—(1) There shall be a Chancellor of Victoria University who shall be appointed by the Board and shall hold office at the pleasure of the Board. The Chancellor shall be charged with the general oversight of the university as a whole. He shall be the head of Victoria University within the meaning of clause (*a*) of section 41 of *The University Act*. He shall preside at all meetings of the Senate and Convocation of Victoria University and shall confer all degrees. He shall be the General Secretary and Chief Administrative Officer of the Board and shall have oversight of the business of the Board in its administration of the property and funds of the Board. He shall prepare and present annually to the Board a report of the life and work of the university and its colleges and a similar report to the General Council of the United Church of Canada. He shall also perform such other duties and functions as are essential to the university as a whole and which have not been assigned to the heads of either of the colleges. The Chancellor may, at the discretion of the Board, be the acting head of either college. Appointment and duties of Chancellor. Rev. Stat., c. 337.

(2) There shall also be a Vice-Chancellor who shall be appointed by the Senate from among its members but who shall not be selected from the members of the teaching staff. The Appointment and duties of Vice-Chancellor.

Vice-Chancellor shall perform such duties as may be requested by the Chancellor or by the Senate and in the absence or illness of the Chancellor shall preside at Convocation and meetings of the Senate.

Continuation of Victoria College.

15. The present Faculty of Arts established in Victoria University and known as Victoria College in the University of Toronto is hereby continued and shall also be known as Victoria College of Victoria University.

Principal of Victoria College.

16. There shall be a Principal of Victoria College who shall have general supervision of the work and life of the said college and shall be the chairman of the Council of Victoria College.

Council of Victoria College.

17.—(1) There shall be a Council of Victoria College which shall consist of the Chancellor of Victoria University, the Principal of Victoria College and all permanent members of the teaching staff of Victoria College together with one professor in the Department of Religious Knowledge appointed by the permanent members of the teaching staff of Emmanuel College.

Powers and duties of council.

(2) The Council of Victoria College shall have the following powers and duties:

To make certain regulations.

(*a*) To make rules and regulations for governing its own proceedings, including the determining of the quorum necessary for the transaction of business.

To make regulations respecting work and life of the College.

(*b*) Subject to the provisions of this Act and to the approval of the Board, to exercise direction, guidance and oversight of the work and life of the college, and to make such rules and regulations as may be required for this purpose.

To transact certain business.

(*c*) To transact such business as may arise that concerns the council as a whole.

Respecting applications of students.

(*d*) To deal with and decide on all applications and memorials by students or others upon which the action of the college is required.

To conduct examinations.

(*e*) To conduct all examinations held by Victoria College.

To appoint representatives to Senate of University of Toronto.

Rev. Stat., c. 337.

(*f*) To appoint such representatives of the Faculty of Arts to the Senate of the University of Toronto as *The University Act* may authorize of whom one shall be the Principal of Victoria College.

(*g*) To consider and report to the Board of Regents and to the Senate or to either of them upon such matters affecting Victoria College as to the council may seem meet. To report upon general matters.

18. Union Theological College as established by the executive committee of the General Council of the United Church of Canada under the authority conferred by the United Church of Canada Act (Dom.) and the Faculty of Theology now established in Victoria University are hereby united and amalgamated into one theological college of Victoria University to be known as Emmanuel College which shall have and exercise all the rights and enjoy all the privileges now pertaining to Union Theological College save as these may be affected by the provisions of this Act. Constitution of Emmanuel College. 1924, c. 100 (Dom.).

19. There shall be a Principal of Emmanuel College who as Chief Administrative Officer of the College Council shall have general supervision of the work and life of the said college. He shall call all meetings of the council and preside thereat. He shall be the head of the college within the meaning of clause (*a*) of section 41 of *The University Act*. Appointment and duties of principal.

20.—(1) There shall be a Council of Emmanuel College which shall consist of the Chancellor of Victoria University, the Principal and all members of the permanent teaching staff of the Emmanuel College and the following who are not members of the Board, namely: six members elected every two years by the General Council of the United Church of Canada and six members elected every two years by the Alumni of Emmanuel College. The Chancellor of Victoria University, the Principal and members of the permanent teaching staff shall constitute the permanent executive of the council. Constitution of council of Emmanuel College.

(2) The first members of the Council of Emmanuel College in addition to the Chancellor, the Principal and the members of the permanent teaching staff of the college shall be: Rev. A. P. Addison, B.A., D.D.; Rev. J. Y. Anderson, B.A., B.D.; Rev. F. L. Barber, B.A., Ph.D.; Rev. H. J. Pritchard, B.A.; Rev. A. L. Smith, M.A., B.D., and Rev. W. R. Taylor, M.A., Ph.D., who shall be deemed to be the six members elected by the General Council of the United Church of Canada, and Rev. J. H. Arnup, B.A., D.D.; Rev. W. B. Creighton, B.A., D.D.; Rev. G. B. King, M.A., B.D., Ph.D.; Rev. Geo. Little, B.A.; Rev. R. S. Laidlaw, D.D., and Rev. Robert Marlin, D.D., who shall be deemed to be the six members elected by the Alumni of Emmanuel College and shall hold office until their successors are elected. The first election of members to the council shall be held at such time in the year 1930 as may be determined by the council. First members of Council.

Powers and duties of Council.

21. The Council of Emmanuel College shall have the following powers and duties:

To determine theological curriculum.

(*a*) To determine the theological curriculum in harmony with the general principles laid down by the General Council of the United Church of Canada.

To prepare courses of study in Divinity.

(*b*) To prepare courses of study for degrees in Divinity and submit the same to the Senate of Victoria University for its approval.

To arrange for teaching and examinations and grant diplomas.

(*c*) To arrange for the teaching and examining of the students and to grant diplomas, certify to presbytery the students who have completed their course of study for ordination, and report to the Senate of Victoria University the standing of students in courses leading to degrees in Divinity.

To oversee work and life of College.

(*d*) Subject to the provisions of this Act and to the approval of the Board, to exercise direction, guidance and oversight of the work and life of the college and to make such rules as may be required for this purpose.

To appoint representatives.

(*e*) To appoint to the Senate of the University of Toronto and to the Council of the Faculty of Arts such representatives as *The University Act* may authorize.

Respecting affiliation of other schools and colleges.

(*f*) To determine, subject to the final ratification of the Senate of Victoria University and of the Board what schools or colleges, if any, of the United Church of Canada, whose purpose is to train students for christian service, may become affiliated with the college and the terms of such affiliation.

Respecting election of members of council.

(*g*) To make such regulations as may be deemed necessary or advisable for the holding of nominations and elections of such members of the council as are to be elected by the alumni.

General powers.

(*h*) To consider and report to the Board and to the Senate, or to either of them, upon any matters affecting the college as to the council may seem meet.

Joint meetings.

22. Joint meetings of the Faculty of Victoria College and of the Faculty of Emmanuel College may be called at any time by the Chancellor at the request of the faculty of either college for the purpose of discussing matters of mutual interest and concern.

Appointment and duties of registrar.

23. There shall be a Registrar of Victoria University who shall be appointed by the Board. The Registrar shall also

be the Secretary of the Senate and shall be the official custodian of all records and papers of the Senate including lists of all graduates and alumni including holders of diplomas and certificates as well as the records of all examination results and the standing of all students in each college. He shall also conduct the elections of the representatives of the graduates and alumni on the Board of Regents and of the graduates on the Senate of Victoria University. The Registrar shall also perform such other duties as may be assigned to him by the Senate or the Board.

Constitution of Caput.

24.—(1) There shall be a committee to be called the Caput which shall be composed of the Chancellor, the Principal of Victoria College and the Principal of Emmanuel College.

Disciplinary jurisdiction of Caput.

(2) The Caput shall have disciplinary jurisdiction over the conduct of the students of Victoria University and its colleges. Disciplinary jurisdiction shall include the power to impose fines.

Preservation of status of graduates and undergraduates of Albert College.

25. All the graduates and undergraduates of Albert College shall have and enjoy the same rights, degrees, honours and status in connection with Victoria University as they enjoyed in connection with said Albert College on the first day of July, 1884.

Affiliation of Albert College.

26. The said Albert College is hereby affiliated with the said Victoria University, and shall be entitled to two representatives upon the Senate of the said university.

First members of Board of Regents.

27. The following shall be the first members of the Board of Regents of Victoria University:

Rev. Richard Pinch Bowles, M.A., D.D., LL.D., who shall be Chancellor and President; Rev. Alfred Gandier, M.A., D.D., LL.D., who shall be Principal of Emmanuel College; the Principal of Victoria College (when appointed); A. E. Ames, Esq.; Rev. C. W. Bishop, B.A., D.D.; Thomas Bradshaw, Esq.; Rev. R. N. Burns, B.A., D.D.; Rev. S. D. Chown, D.D., LL.D.; Rev. W. G. Clarke, B.A.; Rev. Trevor H. Davies, D.D.; Rev. J. M. Duncan, D.D.; H. H. Fudger, Esq.; Rev. J. W. Graham, B.A., D.D., LL.D.; Rev. W. L. Hiles, B.A.; Rev. A. J. Irwin, B.A., D.D.; Rev. George A. Macdonald, B.A.; Rev. D. C. McGregor, D.D.; A. H. Perfect, M.D.; Rev. George C. Pidgeon, D.D.; Hon. N. W. Rowell, LL.D., K.C.; W. E. Rundle, Esq.; Norman Slater, Esq.; Rev. W. J. Smith, B.A., D.D.; Sir James Woods; E. R. Wood, LL.D.; A. R. Auld, Esq.;

Mrs. G. J. Blewett, B.A.; James Brown, Esq.; H. C. Cox, Esq.; C. T. Currelly, M.A.; F. H. Deacon, Esq.; Mrs. R. G. Dingman, B.A.; Mrs. D. A. Dunlap; Lady Flavelle; A. R. Ford, B.A.; D. E. Hughes, Esq.; Geo. H. Locke, M.A., Ph.D., LL.D.; Rev. S. T. Martin, D.D.; A. J. Mitchell, Esq.; F. N. G. Starr, C.B.E., M.D., C.M., F.A.C.S.; J. R. L. Starr, B.A., LL.B., K.C.; G. H. Wood, Esq., who shall hold office until the first election to the Board. The first twenty-two named herein, apart from the three *ex-officio* members of the Board, shall be deemed to be the representatives to the Board, from the General Council of the United Church of Canada and shall hold office on the Board until their successors are elected or appointed at the meeting of the General Council to be held in the year 1930. The first election of the other members of the Board shall be held at such time in the year 1930 as may be determined by the Board.

1915, c. 91, repealed.

28. The Act passed in the 5th year of the reign of His Majesty King George V, and chaptered 91, is hereby repealed.

Commencement of Act.

29. This Act shall come into force on the 1st day of August, 1928.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act respecting Victoria University and Union Theological College.

1st Reading,

February 23rd, 1928.

2nd Reading

3rd Reading

MR. MACAULAY.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 44. 1928.

BILL

An Act respecting Victoria University and Union Theological College.

Preamble.

WHEREAS the Board of Regents of Victoria University and the Board of Management of Union Theological College have by their petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Victoria University Act, 1928*.

Interpretation.

2. In this Act,—

(*a*) "Board" shall mean The Board of Regents of Victoria University;

(*b*) "Graduates" shall mean and include not only the graduates of Victoria University prior to federation with the University of Toronto but also all those graduates under federation enrolled in Victoria University at the time of their graduation;

(*c*) "Alumni of Emmanuel College" shall mean:

i. All those who have received a degree in Divinity from Victoria University; or who have received a degree in Divinity from Knox College previous to May 1st, 1927, and are at the date when this Act comes into force connected with the United Church of Canada, or who within five years from the date when this Act comes into force elect to become alumni of Emmanuel College.

ii. All those who have completed a regular course in Theology prescribed for ordination to the

ministry in Emmanuel College, or in the Faculty of Theology of Victoria University, or in Union Theological College.

iii. All those who previous to May 1st, 1927, completed in Knox College a regular course prescribed for ordination to the Ministry, and are at the date when this Act comes into force connected with the United Church of Canada, or who within five years from the date when this Act comes into force elect to become alumni of Emmanuel College.

iv. All ministers of the United Church of Canada who have completed one full year in theology in Emmanuel College, or in the Faculty of Theology of Victoria University, or in Union Theological College, or prior to May 1st, 1927, in Knox College.

Royal Charter.

3. The Royal Charter granted in the seventh year of the reign of His late Majesty King William the Fourth incorporating the Upper Canada Academy shall remain in full force and effect save and except in so far as it may have been amended by any Act of the Legislature of the late Province of Canada or of the Province of Ontario or by this Act.

Victoria University continued.

4. Victoria University as established by the said Royal Charter and by Acts of the Legislature of the late Province of Canada and of the Province of Ontario is hereby continued and shall continue to be called and known as Victoria University.

Management and administration.

5.—(1) The said Victoria University shall be under the management and administration of "The Board of Regents of Victoria University" which is hereby continued as a body corporate under that name.

Constitution of Board.

(2) The Board shall consist of forty-two members to be elected or appointed every two years and holding office until their successors are elected or appointed as follows:

(*a*) Twenty-two members by vote of the General Council of the United Church of Canada.

(*b*) Three *ex-officio* members being the Chancellor of Victoria University, the Principal of Victoria College and the Principal of Emmanuel College.

(*c*) Five members by vote of the graduates in Arts, Medicine, Science and Law of Victoria University.

(*d*) Five members by vote of the Alumni of Emmanuel College.

(*e*) Seven members to be elected at a joint meeting to be called by the General Secretary of the Board for that purpose consisting of the twenty-two representatives from the General Council of the United Church of Canada, the *ex-officio* members and the members elected to the Board by the said graduates in Arts, Medicine, Science and Law and the Alumni of Emmanuel College.

Election.

(3) The election of the seven members mentioned in clause (*e*) shall be conducted according to the regulations which may from time to time be made by the Board.

First meeting of Board and election of chairman.

6. The Board shall at the first meeting to be held after the passing of this Act elect a chairman to hold office until the next election of the members of the Board and thereafter following each election of a new Board shall at its first meeting elect a chairman. Should a vacancy in the office of the chairman at any time occur the Board shall forthwith elect a new chairman. The first meeting of the Board shall be called by the Chancellor or by the principal of either college.

Power to hold land.

Rev. Stat., c. 1.

7. The Board shall have in addition to the powers, rights and privileges mentioned in section 27 of *The Interpretation Act*, power to purchase, acquire, take and hold by gift, devise or otherwise real and personal property for the purpose of the university without license in mortmain and may grant, sell, mortgage, lease and otherwise dispose of the same or any part thereof.

Vesting of property.

8. All real and personal property now vested in Victoria University, in the Board of Regents of Victoria University, in Union Theological College or the Board of Management thereof shall be and it is hereby vested in the Board.

Powers of Board.

9. The Board shall have power,—

To make rules and regulations and appoint committees.

(*a*) To make rules and regulations pertaining to the meetings of the Board and its transactions, for fixing the quorum of the Board, and for the appointment of such committees as it may deem necessary, and for conferring on any such committees power and authority to act for the Board in and in relation to such matters as the Board may deem it expedient to delegate to a committee with power to act for the Board.

To make other appointments.

(*b*) To appoint a Chancellor who may also be called President of Victoria University, a Principal of Victoria College, a Principal of Emmanuel College, professors, lecturers, instructors, demonstrators, tutors, masters and all officers, agents and servants of the university and its colleges and to dismiss the same and to determine their salaries, duties and tenure of office which, unless otherwise provided, shall be at the pleasure of the Board; provided, however, that the members of the Faculty of Emmanuel College shall be appointed or dismissed only by a majority vote of the members of the Board and also by a majority vote of those members of the Board elected by the General Council of the United Church of Canada present at a meeting duly called for the purpose. No appointment to the permanent teaching staff of either college shall be made until the Chancellor and the Principal of such college shall have consulted with the teaching staff of the department concerned in the case of Victoria College, and with the council of the college, in the case of Emmanuel College and until the result of such consultation has been reported to the Board. The appointment of the principal and professors of Emmanuel College shall be subject to confirmation by the General Council of the United Church of Canada or by a duly authorized board or committee of the General Council.

Respecting membership on Board.

(*c*) To make such regulations as may be necessary or advisable for the holding of nominations and elections for membership on the Board.

Respecting retirement and gratuities

(*d*) To make regulations respecting and providing for the retirement and superannuation of any of the persons mentioned in clause (*b*), or the payment of a gratuity to any of them upon retirement and provide that any superannuation or retiring allowance or gratuity shall be paid out of a fund which may be created for that purpose either with the money of the Board or from contributions from such persons or partly by both.

To invest moneys.

(*e*) Subject to the limitations imposed by any trust as to the same, to invest all such money as shall come to the hands of the Board and is not required to be expended for any purpose to which it lawfully may be applied, in such manner as to the Board may seem meet.

(*f*) To lay out and expend such sums as the Board may deem necessary for the erection, furnishing, maintenance and equipment of such buildings as are or may be deemed necessary for the purposes of Victoria University or the students thereof; provided, however, that the Senate and the council of the college concerned shall be invited to inspect all plans of buildings and may make suggestions with regard thereto. To erect and equip buildings.

(*g*) To exercise all the powers for establishing faculties, departments, chairs and courses of instruction in Victoria University and its colleges as have been conferred on Victoria University or the Board or Senate thereof by the said Royal Charter or by any Act of the Legislature of the late Province of Canada or of the Province of Ontario. To establish faculties, etc.

(*h*) To receive and administer all gifts, legacies, devises, grants, subscriptions and donations for Victoria University and its colleges. To receive and administer gifts.

(*i*) To impose tuition and other fees on the students of Victoria University. To fix fees.

(*j*) To keep proper books of account of the financial affairs of Victoria University and to present a report of the said university, accompanied by a duly audited financial account to each meeting of the General Council of the United Church of Canada. To keep account of financial matters and report thereon.

(*k*) To establish a committee to be known as the Library Board to consist of four members appointed by the Council of Victoria College, four members by the Council of Emmanuel College and four members by the Board and to vest in such committee (subject to such limitations as may be deemed advisable) the care, control and management of the library of Victoria University and its colleges. To establish library board and control library.

(*l*) To make all such regulations and provisions and do all such matters and things as may seem necessary or advisable for the welfare, advancement and good government of Victoria University which are not by this Act assigned to any other body. General powers.

10. If a vacancy occurs in the Board from among the members elected by the General Council of the United Church of Canada such vacancy shall be filled by the executive committee of the said General Council. If a vacancy occurs from among the other members of the Board the vacancy shall be filled by the Board, but in the case of a vacancy from among the members elected by the graduates or by the Vacancies in Board.

Alumni the Board shall appoint a graduate or alumnus as the case may be, to fill the vacancy.

Execution of documents.

11. All deeds, mortgages, discharges of mortgages, papers, documents, agreements and other instruments in writing shall be executed on behalf of the Board by the Chancellor or the chairman of the Board and by the treasurer or the principal of either college and the corporate seal of the university shall be affixed thereto.

Senate and constitution hereof.

12.—(1) There shall be a Senate of Victoria University which shall consist of the following:

All members of the Board of Regents of Victoria University;

All permanent members of the teaching staff of Victoria College and Emmanuel College;

Six representatives elected every two years by the graduates of the faculties of Arts, Medicine, Science and Law of Victoria University;

The six representatives to the Council of Emmanuel College who shall have been elected by the Alumni and

Two representatives appointed by Albert College.

First members of Senate.

(2) The first members of the Senate in addition to the representatives of Albert College, the permanent members of the teaching staff of Victoria College and of Emmanuel College and of the members of the Board of Regents of Victoria University and the six representatives to the Council of Emmanuel College who shall have been elected by the Alumni, shall be: H. W. Gundy, B.A.; H. W. Aikins, B.A., M.D.; Mrs. G. H. Duff, B.A.; Miss E. F. Adams, B.A.; F. H. Clarke, B.A., and F. C. Colbeck, B.A., who shall be deemed to be the six representatives elected by the graduates of the Faculties of Arts, Medicine, Science and Law of Victoria University.

Term of office of first members.

(3) The said members of the Senate shall hold office until their successors are elected.

First election to Senate.

(4) The first election of members to the Senate shall be held at such time in the year 1930 as may be determined by the Senate.

Powers of Senate.

13. The Senate shall have power,—

To make certain regulations.

(*a*) To provide for the regulation and conduct of its proceedings, including the determination of the quorum necessary for the transaction of business;

(*b*) Subject to the provisions of *The University Act*, to provide for the granting of and to grant degrees, including honorary degrees in the several colleges and faculties which are or may from time to time be established and to determine the courses of study and qualifications for degrees; To grant degrees. Rev. Stat., c. 337.

(*c*) To make such regulations as may be deemed necessary and proper for the nomination and election of members to the Senate; Respecting membership of Senate.

(*d*) To make regulations and deal with all such matters of a strictly educational nature as have not in this Act been assigned to either of the colleges; To make regulations of educational nature.

(*e*) To summon and provide for the holding of Convocation, for the conferring of degrees and for such other purposes as may be determined by the Senate; Respecting Convocation.

(*f*) To appoint the representative of Victoria University on the Senate of the University of Toronto; provided, however, that no person who is a member of the Council of Emmanuel College shall be entitled to vote on any such appointment; To appoint representatives on Senate of University of Toronto.

(*g*) To deal with such other matters and affairs as may from time to time be committed to it by the Board. General powers.

14.—(1) There shall be a Chancellor of Victoria University who shall be appointed by the Board and shall hold office at the pleasure of the Board. The Chancellor shall be charged with the general oversight of the university as a whole. He shall be the head of Victoria University within the meaning of clause (*a*) of section 41 of *The University Act*. He shall preside at all meetings of the Senate and Convocation of Victoria University and shall confer all degrees. He shall be the General Secretary and Chief Administrative Officer of the Board and shall have oversight of the business of the Board in its administration of the property and funds of the Board. He shall prepare and present annually to the Board a report of the life and work of the university and its colleges and a similar report to the General Council of the United Church of Canada. He shall also perform such other duties and functions as are essential to the university as a whole and which have not been assigned to the heads of either of the colleges. The Chancellor may, at the discretion of the Board, be the acting head of either college. Appointment and duties of Chancellor. Rev. Stat., c. 337.

(2) There shall also be a Vice-Chancellor who shall be appointed by the Senate from among its members but who shall not be selected from the members of the teaching staff. The Appointment and duties of Vice-Chancellor.

Vice-Chancellor shall perform such duties as may be requested by the Chancellor or by the Senate and in the absence or illness of the Chancellor shall preside at Convocation and meetings of the Senate.

Continuation of Victoria College.

15. The present Faculty of Arts established in Victoria University and known as Victoria College in the University of Toronto is hereby continued and shall also be known as Victoria College of Victoria University.

Principal of Victoria College.

16. There shall be a Principal of Victoria College who shall have general supervision of the work and life of the said college and shall be the chairman of the Council of Victoria College.

Council of Victoria College.

17.—(1) There shall be a Council of Victoria College which shall consist of the Chancellor of Victoria University, the Principal of Victoria College and all permanent members of the teaching staff of Victoria College together with one professor in the Department of Religious Knowledge appointed by the permanent members of the teaching staff of Emmanuel College.

Powers and duties of council.

(2) The Council of Victoria College shall have the following powers and duties:

To make certain regulations.

(*a*) To make rules and regulations for governing its own proceedings, including the determining of the quorum necessary for the transaction of business.

To make regulations respecting work and life of the College.

(*b*) Subject to the provisions of this Act and to the approval of the Board, to exercise direction, guidance and oversight of the work and life of the college, and to make such rules and regulations as may be required for this purpose.

To transact certain business.

(*c*) To transact such business as may arise that concerns the council as a whole.

Respecting applications of students.

(*d*) To deal with and decide on all applications and memorials by students or others upon which the action of the college is required.

To conduct examinations.

(*e*) To conduct all examinations held by Victoria College.

To appoint representatives to Senate of University of Toronto.

(*f*) To appoint such representatives of the Faculty of Arts to the Senate of the University of Toronto as *The University Act* may authorize of whom one shall be the Principal of Victoria College.

Rev. Stat., c. 337.

(*g*) To consider and report to the Board of Regents and to the Senate or to either of them upon such matters affecting Victoria College as to the council may seem meet. To report upon general matters.

18. Union Theological College as established by the executive committee of the General Council of the United Church of Canada under the authority conferred by the United Church of Canada Act (Dom.) and the Faculty of Theology now established in Victoria University are hereby united and amalgamated into one theological college of Victoria University to be known as Emmanuel College which shall have and exercise all the rights and enjoy all the privileges now pertaining to Union Theological College save as these may be affected by the provisions of this Act. Constitution of Emmanuel College. 1924, c. 100 (Dom.).

19. There shall be a Principal of Emmanuel College who as Chief Administrative Officer of the College Council shall have general supervision of the work and life of the said college. He shall call all meetings of the council and preside thereat. He shall be the head of the college within the meaning of clause (*a*) of section 41 of *The University Act*. Appointment and duties of principal.

20.—(1) There shall be a Council of Emmanuel College which shall consist of the Chancellor of Victoria University, the Principal and all members of the permanent teaching staff of Emmanuel College and the following who are not members of the Board, namely: six members elected every two years by the General Council of the United Church of Canada and six members elected every two years by the Alumni of Emmanuel College. The Chancellor of Victoria University, the Principal and members of the permanent teaching staff shall constitute the permanent executive of the council. Constitution of council of Emmanuel College.

(2) The first members of the Council of Emmanuel College in addition to the Chancellor, the Principal and the members of the permanent teaching staff of the college shall be: Rev. A. P. Addison, B.A., D.D.; Rev. J. F. Anderson, B.A., B.D.; Rev. F. L. Barber, B.A., Ph.D.; Rev. H. J. Pritchard, B.A.; Rev. A. L. Smith, M.A., B.D., and Rev. W. R. Taylor, M.A., Ph.D., who shall be deemed to be the six members elected by the General Council of the United Church of Canada, and Rev. J. H. Arnup, B.A., D.D.; Rev. W. B. Creighton, B.A., D.D.; Rev. G. B. King, M.A., B.D., Ph.D.; Rev. Geo. Little, B.A.; Rev. R. S. Laidlaw, D.D., and Rev. Robert Martin, D.D., who shall be deemed to be the six members elected by the Alumni of Emmanuel College and shall hold office until their successors are elected. The first election of members to the council shall be held at such time in the year 1930 as may be determined by the council. First members of Council.

Powers and duties of Council.

21. The Council of Emmanuel College shall have the following powers and duties:

To determine theological curriculum.

(*a*) To determine the theological curriculum in harmony with the general principles laid down by the General Council of the United Church of Canada.

To prepare courses of study in Divinity.

(*b*) To prepare courses of study for degrees in Divinity and submit the same to the Senate of Victoria University for its approval.

To arrange for teaching and examinations and grant diplomas.

(*c*) To arrange for the teaching and examining of the students and to grant diplomas, certify to presbytery the students who have completed their course of study for ordination, and report to the Senate of Victoria University the standing of students in courses leading to degrees in Divinity.

To oversee work and life of College.

(*d*) Subject to the provisions of this Act and to the approval of the Board, to exercise direction, guidance and oversight of the work and life of the college and to make such rules as may be required for this purpose.

To appoint representatives.

(*e*) To appoint to the Senate of the University of Toronto and to the Council of the Faculty of Arts such representatives as *The University Act* may authorize.

Respecting affiliation of other schools and colleges.

(*f*) To determine, subject to the final ratification of the Senate of Victoria University and of the Board what schools or colleges, if any, of the United Church of Canada, whose purpose is to train students for christian service, may become affiliated with the college and the terms of such affiliation.

Respecting election of members of council.

(*g*) To make such regulations as may be deemed necessary or advisable for the holding of nominations and elections of such members of the council as are to be elected by the alumni.

General powers.

(*h*) To consider and report to the Board and to the Senate, or to either of them, upon any matters affecting the college as to the council may seem meet.

Joint meetings.

22. Joint meetings of the Faculty of Victoria College and of the Faculty of Emmanuel College may be called at any time by the Chancellor at the request of the faculty of either college for the purpose of discussing matters of mutual interest and concern.

Appointment and duties of registrar.

23. There shall be a Registrar of Victoria University who shall be appointed by the Board. The Registrar shall also

be the Secretary of the Senate and shall be the official custodian of all records and papers of the Senate including lists of all graduates and alumni including holders of diplomas and certificates as well as the records of all examination results and the standing of all students in each college. He shall also conduct the elections of the representatives of the graduates and alumni on the Board of Regents and of the graduates on the Senate of Victoria University. The Registrar shall also perform such other duties as may be assigned to him by the Senate or the Board.

Constitution of Caput.

24.—(1) There shall be a committee to be called the Caput which shall be composed of the Chancellor, the Principal of Victoria College and the Principal of Emmanuel College.

Disciplinary jurisdiction of Caput.

(2) The Caput shall have disciplinary jurisdiction over the conduct of the students of Victoria University and its colleges. Disciplinary jurisdiction shall include the power to impose fines.

Preservation of status of graduates and undergraduates of Albert College.

25. All the graduates and undergraduates of Albert College shall have and enjoy the same rights, degrees, honours and status in connection with Victoria University as they enjoyed in connection with said Albert College on the first day of July, 1884.

Affiliation of Albert College.

26. The said Albert College is hereby affiliated with the said Victoria University, and shall be entitled to two representatives upon the Senate of the said university.

First members of Board of Regents.

27. The following shall be the first members of the Board of Regents of Victoria University:

Rev. Richard Pinch Bowles, M.A., D.D., LL.D., who shall be Chancellor and President; Rev. Alfred Gandier, M.A., D.D., LL.D., who shall be Principal of Emmanuel College; the Principal of Victoria College (when appointed); A. E. Ames, Esq.; Rev. C. W. Bishop, B.A., D.D.; Thomas Bradshaw, Esq.; Rev. R. N. Burns, B.A., D.D.; Rev. S. D. Chown, D.D., LL.D.; Rev. W. G. Clarke, B.A.; Rev. Trevor H. Davies, D.D.; Rev. J. M. Duncan, D.D.; H. H. Fudger, Esq.; Rev. J. W. Graham, B.A., D.D., LL.D.; Rev. W. L. Hiles, B.A.; Rev. A. J. Irwin, B.A., D.D.; Rev. George A. Macdonald, B.A.; Rev. D. C. McGregor, D.D.; A. H. Perfect, M.D.; Rev. George C. Pidgeon, D.D.; Hon. N. W. Rowell, LL.D., K.C.; W. E. Rundle, Esq.; Norman Slater, Esq.; Rev. W. J. Smith, B.A., D.D.; Sir James Woods; E. R. Wood, LL.D.; A. R. Auld, Esq.;

Mrs. G. J. Blewett, B.A.; James Brown, Esq.; H. C. Cox, Esq.; C. T. Currelly, M.A.; F. H. Deacon, Esq.; Mrs. R. G. Dingman, B.A.; Mrs. D. A. Dunlap; Lady Flavelle; A. R. Ford, B.A.; D. E. Hughes, Esq.; Geo. H. Locke, M.A., Ph.D., LL.D.; Rev. S. T. Martin, D.D.; A. J. Mitchell, Esq.; F. N. G. Starr, C.B.E., M.D., C.M., F.A.C.S.; J. R. L. Starr, B.A., LL.B., K.C.; G. H. Wood, Esq., who shall hold office until the first election to the Board. The first twenty-two named herein, apart from the three *ex-officio* members of the Board, shall be deemed to be the representatives to the Board, from the General Council of the United Church of Canada and shall hold office on the Board until their successors are elected or appointed at the meeting of the General Council to be held in the year 1930. The first election of the other members of the Board shall be held at such time in the year 1930 as may be determined by the Board.

1915, c. 91, repealed.

28. The Act passed in the 5th year of the reign of His Majesty King George V, and chaptered 91, is hereby repealed.

Commencement of Act.

29. This Act shall come into force on the 1st day of August, 1928.

Ontario.
18 George V, 1928.

BILL.

An Act respecting Victoria University and Union Theological College.

1st Reading,

February 23rd, 1928.

2nd Reading

3rd Reading

MR. MACAULAY.

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 45. 1928.

BILL

An Act to amend An Act respecting the Sarnia General Hospital.

Preamble.

WHEREAS the municipal council of the city of Sarnia has by its petition represented that by an Act passed in 1920, chaptered 163, intituled *An Act respecting the Sarnia General Hospital*, it was enacted that the municipal council of the city of Sarnia might appoint three trustees to be known as the "Hospital Commission"; and that it is now desirable to increase the said Hospital Commission to the number of five trustees; and that by the said Act, the corporation of the city of Sarnia was enabled to pass by-laws from time to time without submitting the same to the vote of the electors for their assent, the extent of the money to be borrowed by the said corporation not to exceed in the whole the sum of $150,000; and that the city has already raised the sum of $83,000 for hospital purposes under the said Act; and that an addition is necessary to the present hospital by reason of the fact that patients are no longer to be allowed upon the third floor of the said hospital owing to the non-fireproof construction of the said hospital, and also by reason of the fact that the municipality of the city of Sarnia has outgrown the present hospital accommodation; and whereas the said corporation has by its said petition prayed that it may be enacted as hereinafter set out; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Sarnia General Hospital Act, 1928*.

1920, c. 163, s. 3, repealed.

2. The Act passed in 1920, chaptered 163, intituled *An Act respecting the Sarnia General Hospital*, is amended by striking out section 3 and substituting therefor the following:

Appointment of Hospital Commission.

3. The conduct of the affairs of the said hospital shall be vested in a commission of five trustees to be known

as "The Hospital Commission," to be appointed by the municipal council of the city of Sarnia, the present three trustees to serve for the term for which they have been appointed and the two new trustees to be appointed to serve for a term of two and three years respectively from the 1st day of February in the year in which the appointment is made and thereafter the trustee or trustees to be appointed in each year for a term of three years to take the place of the trustee or trustees whose term or terms shall have expired, but no more than one member of the municipal council of the city of Sarnia shall be eligible for appointment as a hospital trustee.

1920, c. 163, s. 7, amended.

2. Section 7 of the said Act is amended by striking out the words and figures "not exceeding in the whole $150,000" in the third and fourth lines and inserting in lieu thereof the words "so as not to exceed the sum of $300,000 outstanding at any one time."

Ontario.
18 George V, 1928.

BILL.

An Act to amend An Act respecting the Sarnia General Hospital.

1st Reading

2nd Reading

3rd Reading

MR. HANEY.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 46. 1928.

BILL

An Act respecting St. Andrew's Presbyterian Church at Grafton.

Preamble.

WHEREAS certain members of the Presbyterian Church in Canada at the village of Grafton, in the county of Northumberland, long known as St. Andrew's Presbyterian Church, as constituted before the 10th day of June, 1925, who voted against union with the United Church of Canada, have by their petition represented that they have continued to worship together as a congregation of Presbyterians, which makes the Westminster confession of faith the rule by which public worship and divine service is conducted, in conformity with the provisions of the Trust Deed made by John Grover, Esq., on the 12th day of September, 1844, and in conformity with the provisions of the trust deed made by The Honourable George Strange Boulton on the 22nd day of August, 1850, creating trusts affecting the St. Andrew's Presbyterian Church and manse at the village of Grafton aforesaid in favour of a congregation of Presbyterians adhering to the Westminster confession of faith in manner as aforesaid, and have further thereby represented that the trustees of the said property, William H. Johnston, J. C. Hutchison and John Underwood, in violation of the terms of the trust deeds, are devoting and permitting the said property to be devoted to the use of a congregation of the United Church of Canada at Grafton to the exclusion of the petitioners as a congregation of Presbyterians which makes the Westminster confession of faith the rule by which public worship and divine service is conducted; and whereas an action is now pending in the Supreme Court of Ontario in which one John W. Aird and other members of the congregation of the Presbyterian Church in Canada at the village of Grafton are plaintiffs, and William H. Johnston, J. C. Hutchison and John Underwood, who were trustees under the said deeds of the said property prior to the 10th day of June, 1925, are defendants, for enforcement of the terms of the said trust deeds, in which action the defendants are contending that by virtue of the provisions of the Act passed in 1925, chaptered 125, the defendants hold the said property for the benefit of a congregation being part of the United Church of Canada at

Grafton and that the plaintiffs are precluded by the provision of an Act passed in 1926, chaptered 14, from maintaining this action; and whereas the petitioners have by their said petition prayed that it may be declared that the church premises occupied and enjoyed by the congregation of St. Andrew's Presbyterian Church at Grafton prior to the 10th day of June, 1925, have continued to be the property of the said congregation subject to the trusts of the said trust deeds, and that the said St. Andrew's Presbyterian Church congregation has continued to exist as a congregation adhering to the provisions of the said trust deeds and worshipping according to the Westminster confession of faith and that such premises be vested in trustees for the said congregation subject to the terms of the said trust deeds; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Grafton Presbyterian Church Act, 1928*.

Certain property to remain vested in congregation; 1925, c. 125.

2. All those certain lands described in schedule "A" hereto, upon which are erected a church and manse occupied and enjoyed by the St. Andrew's Presbyterian Church congregation at Grafton as church property prior to the coming into force of *The United Church of Canada Act*, remain the property of the said congregation and subject to the terms of a trust deed made by John Grover, Esquire, dated the 12th day of September, 1844, and of a certain other trust deed made by The Honourable George Strange Boulton on the 22nd day of August, 1850, creating certain trusts affecting the said lands, as if the said Act had not been passed and notwithstanding anything herein or in any other Act contained.

Congregation declared to have continued in existence.

3. It is hereby further declared that the said congregation known as St. Andrew's Presbyterian Church at Grafton has continued to exist as a Presbyterian congregation adhering to the Westminster confession of faith in conformity with the said trust deeds, independently of the United Church of Canada and notwithstanding the fact that a majority of the members of the said congregation as it existed prior to the 10th day of June, 1925, have left the same and joined with the United Church of Canada as if the United Church Acts recited above had not been passed and notwithstanding anything therein or in any other Act contained.

Lands vested in trustees.

4. The said church lands and premises are vested in John W. Aird, G. M. Creighton and Hugh Ross of the village of

Grafton, members of the congregation and of the Board of Managers of St. Andrew's Presbyterian Church at Grafton, in the county of Northumberland, as trustees for the said congregation subject to the terms of the said trust deeds.

Commencement of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

PARCEL 1.

All that certain tract or parcel of land situate lying and being in the Village of Grafton aforesaid and being composed of a part of lot number Twenty-three in the Broken front concession A of the Township of Haldimand aforesaid and containing by admeasurement two roods and ten poles and may be otherwise known as follows, that is to say: Commencing at the Southwest angle of village lot number nine in Grafton then South sixty-one degrees forty-five minutes West one chain and eight and a half links Then North Eighty-seven degrees, forty-five minutes west one chain sixty-three links Then North fifty-eight degrees west one chain, Then North thirty-five degrees forty-five minutes east Two chains Then South fifty-four degrees east three chains sixty-three links to the place of beginning. Together with a piece of land to be used as an approach to the land already described containing twenty-one perches nineteen yards and four feet and bounded as follows on the North by the Mail road on the East by a Lot of land owned by Albert Baker and on the West by a lot of land owned by one David Ross.

PARCEL 2.

All that certain parcel or tract of land situate lying and being in the Village of Grafton in the said County being composed of lots numbers three and four in the Second tier or lots laid down in a plan made by George Caddy a Deputy Surveyor and being part of the South quarter of lot number twenty-three in the first concession of the Township of Haldimand and containing by admeasurement half an acre be the same more or less.

PARCEL 3.

All and singular that certain parcel or tract of land and premises situate lying and being in the Township of Haldimand, in the County of Northumberland, and Province of Ontario and being composed of a Lot in the Village of Grafton in said Township containing about one-quarter of an acre and situate near the Presbyterian Church, and which said Lot is more particularly described as follows, that is to say: Being part and parcel of Lot number twenty-three (23) in Broken Front Concession "A" of the said Township of Haldimand, and being Lot number Nine (9) on the South side of the Danforth Road, which is butted and bounded or may otherwise be known as follows, that is to say: Commencing where an allowance for Road between village lots numbers eight and nine intersects the Danforth Road at the northeasterly corner of said Lot number Nine; then South fifty-six degrees east one chain; then south thirty-four degrees west two chains and fifty links; then north fifty-six degrees West one chain; then North thirty-four degrees east two chains and fifty links to the place of beginning.

Ontario.
18 George V, 1928.

BILL.

An Act respecting St. Andrew's Presbyterian Church at Grafton.

1st Reading

2nd Reading

3rd Reading

MR. CURRIE.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 47. 1928.

BILL

An Act respecting the Township of Sandwich East.

Preamble. WHEREAS the municipal corporation of the township of Sandwich East has by its petition represented that by-law number 1153 was duly passed by the council of the said corporation on the 1st day of February, 1928, authorizing the issue of debentures to the amount of $124,550 for certain sewers constructed as local improvements; that certain doubts have arisen as to the validity of said by-law; and that it is desirable that the said by-law and the debentures issued or to be issued thereunder should be validated and confirmed; and has by its said petition prayed that an Act may be passed validating the said by-law; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1**. This Act may be cited as *The Township of Sandwich East Act, 1928*.

By-law No. 1153, confirmed. **2**. By-law number 1153 of the municipal corporation of the township of Sandwich East, passed on the 1st day of February, 1928, authorizing the issue of debentures to the amount of $124,550 for certain sewers constructed as local improvements, and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commencement of Act. **3**. This Act shall come into force on the day upon which it receives the Royal Assent.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act respecting the Township of Sandwich East.

1st Reading

2nd Reading

3rd Reading

MR. POISSON.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 47. 1928.

BILL

An Act respecting the Township of Sandwich East.

Preamble.

WHEREAS the municipal corporation of the township of Sandwich East has by its petition represented that by-law number 1153 was duly passed by the council of the said corporation on the 1st day of February, 1928, authorizing the issue of debentures to the amount of $124,550 for certain sewers constructed as local improvements; that certain doubts have arisen as to the validity of said by-law ☞owing to the fact that the corporation's portion of the cost of the sewers on Grand Marais Road and Remington Avenue therein mentioned is charged upon designated areas benefitted by the work and not upon the corporation at large and by reason of irregularities in the local improvement proceedings authorizing the balance of the sewers mentioned in said by-law☜; and that it is desirable that the said by-law and the debentures issued or to be issued thereunder should be validated and confirmed; and has by its said petition prayed that an Act may be passed validating the said by-law; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Township of Sandwich East Act, 1928*.

By-law No. 1153, confirmed.

2.—(1) *Subject to subsection 2*, By-law number 1153 of the municipal corporation of the township of Sandwich East, passed on the 1st day of February, 1928, authorizing the issue of debentures to the amount of $124,550 for certain sewers constructed as local improvements, ☞a true copy of which is set out in schedule "A" to this Act☜ and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Application to quash not affected.

☞(2) Subsection 1 shall not affect any application now pending or which may be made prior to the 15th day of April,

1928, to quash the said by-law, but any such application may be proceeded with and adjudicated upon in all respects as if subsection 1 had not been passed.

Pending litigation not affected.

3. Nothing in this Act contained shall affect or prejudice in any manner the rights or obligations of any party to the proceeding now pending before the Drainage Referee, under the provisions of *The Municipal Drainage Act*, in which the municipal corporation of the township of Sandwich West and others are appellants, and the municipal corporation of the township of Sandwich East is respondent.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

TOWNSHIP OF SANDWICH EAST,

BY-LAW NO. 1153.

A By-law to provide for the borrowing of $124,550.00 upon debentures to pay for the construction of certain local improvements.

Whereas pursuant to Construction By-laws Numbers 1107 as amended by 1147; 1091 as amended by 1146; and 1117C, certain works have been constructed of the nature, on the streets and between the points as shown in columns 2, 3, 4 and 5 of Schedule "A" hereto as local improvements under the provisions of The Local Improvement Act;

And whereas the total cost of the sewer on Grand Marais Road described as work No. 1 in said Schedule "A" is as shown in column 6 of said Schedule "A," of which $71,637.39 is to be assessed and levied on the whole rateable property in the section or area defined by Construction By-law Number 1107 as amended by By-law Number 1147, being the area described in Schedule "B" hereto annexed;

And whereas the total cost of the sewer on Remington Avenue described as work No. 2 in said Schedule "A" is as shown in column 6 of said Schedule "A," of which $16,270.47 is to be assessed and levied on the whole rateable property in the section or area defined by Construction By-law Number 1091 as amended by By-law Number 1146, being the area described in Schedule "C" hereto annexed;

And whereas the total cost of each of the other works mentioned in Schedule "A" and the Corporation's portion thereof are shown in columns 6 and 7 respectively of said Schedule "A";

And whereas the owners' portion of the cost of each of the said works for each of which a special assessment roll has been duly made and certified is shown in column 8 of said Schedule "A";

And whereas the estimated lifetime of each of the said works is twenty-one years;

And whereas it is necessary to borrow the sum of $124,550.00, being the total cost of all of the said works, as shown in column 6 of said Schedule "A", on the credit of the corporation and to issue debentures therefor, bearing interest at the rate of Five and one-quarter per cent. per annum, which is the amount of the debt intended to be created by this by-law;

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of twenty years of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years;

And whereas it will be necessary to raise annually the sums as shown in column 9 of said Schedule "A" aggregating $10,207.16 during the period of twenty years to pay the said yearly sums of principal and interest as they become due, of which the sums shown in column 10 of said Schedule "A" aggregating $7,371.07 are required to pay the corporation's or area's portion of the cost and interest thereon and the sums as shown in column 11 of said Schedule "A" aggregating $2,836.09 are required to pay the owners' portion of the cost and interest thereon;

And whereas each of the said works has been approved by the Department of Health for Ontario;

And whereas the amount of the whole rateable property of the Municipality, according to the last revised assessment roll, is $4,109,965.00;

And whereas the amount of the existing debenture debt of the Corporation, exclusive of local improvement debts secured by special rates or

assessments, is $128,601.87 and none of the principal or interest is in arrear;

Now therefore the Municipal Council of the Corporation of the Township of Sandwich East enacts as follows:

1. That for the purpose aforesaid there shall be borrowed on the credit of the Corporation at large the sum of $124,550.00 and debentures shall be issued therefor in sums of not less than $50.00 each, bearing interest at the rate of Five and one-quarter per cent. per annum, payable half-yearly, and having coupons attached thereto for the payment of the interest.

2. The debentures shall all be dated as of the 15th day of September, 1927, and shall be payable in twenty annual instalments of principal and interest, the principal being payable on the 15th day of September in each of the years 1928 to 1947, inclusive, and the interest shall be payable on the 15th days of March and September in each year, and the respective amounts of principal and interest payable in each of such years shall be in accordance with the statement appearing in Schedule "D" to this by-law, which is hereby declared to be and form part of this by-law.

3. The debentures as to both principal and interest may be payable at any place or places in Canada.

4. The Reeve of the Corporation shall sign and issue the debentures and the said debentures and the interest coupons shall be signed by the Treasurer of the Corporation and the debentures shall be sealed with the seal of the Corporation. The signature of the Treasurer upon the coupons may be written, stamped, lithographed or engraved.

5. During twenty years, the currency of the debentures, the sum of $10,207.16 shall be raised annually for the payment of the debt and interest as follows:

The sum of $5,870.85 shall be raised annually for the payment of the area's portion of the cost of the sewer on Grand Marais Road referred to as work No. 1 in said Schedule "A" and the interest thereon, and shall be levied and raised annually by a special rate sufficient therefor over and above all other rates on the whole rateable property in the section or area defined by Construction By-law Number 1107 as amended by By-law Number 1147, being the area described in Schedule "B" hereto annexed.

The sum of $1,333.40 shall be raised annually for the payment of the area's portion of the cost of the Remington Avenue sewer described as work No. 2 in said Schedule "A" and the interest thereon, and shall be levied and raised annually by a special rate sufficient therefor over and above all other rates on the whole rateable property in the section or area defined by Construction By-law Number 1091 as amended by By-law Number 1146, being the area described in Schedule "C" hereto annexed.

The sum of $166.82 shall be raised annually for the payment of the Corporation's portion of the cost of the other works referred to in said Schedule "A" and the interest thereon, and shall be levied and raised annually by a special rate sufficient therefor over and above all other rates on all the rateable property in the Municipality, at the same time and in the same manner as other rates.

For the payment of the owners' portion of the cost and the interest thereon, the special assessments set forth in the said special assessment rolls are hereby imposed upon the lands liable therefor as therein set forth; which said special assessments, with a sum sufficient to cover interest thereon at the rate aforesaid, shall be payable in twenty equal annual instalments of $2,836.09 each, and for that purpose the equal annual special rates per foot frontage set forth in the said special assessment rolls are hereby imposed upon the lots entered in said special assessment rolls, according to the assessed frontage thereof, over and above all other rates and taxes, which said special rate shall be collected annually

by the Collector of Taxes for the Corporation, at the same time and in the same manner as other rates.

6. The debentures may contain any clause providing for the registration thereof, authorized by any Statute relating to Municipal debentures in force at the time of the issue thereof.

7. The amount of the loan authorized by this by-law may be consolidated with the amount of any loans authorized by other local improvement by-laws, by including the same with such other loans in a consolidating by-law authorizing the borrowing of the aggregate thereof as one loan, and the issue of debentures for such loan in one consecutive issue, pursuant to the provisions of the Statute in that behalf.

8. This By-law shall take effect on the day of the final passing thereof.

Passed this 1st day of February, 1928.

J. E. FERRARI,
Reeve.

F. G. BELLEPERCHE,
Clerk.

Schedule "A."

1	2	3	4	5	6	7	8	9	10	11
								Amount to be raised annually for:		
No.	Nature of Work	Street	From	To	Total Cost	Area or Corporation's portion	Owners' portion	Payment of debt	Area or Corporation's portion	Owners' portion
					$	$	$	$	$	$
1	Sewer.....	Grand Marais Rd. with necessary	Alexis Rd..... outlet into Grand	Pillette Rd.... Marais drain.	92,200 00	71,637 39	20,562 61	7,556 00	5,870 85	1,685 15
2	Sewer.....	Remington Ave.. with necessary	Grand Marais Rd. outlet into Grand	Eugenie Ave... Marais drain.	22,000 00	16,270 47	5,729 53	1,802 95	1,333 40	469 55
3	Sewer.....	Eugenie Ave..... Lillian St.....	Remington Ave.. Eugenie Ave.....	Lillian St..... South Pacific St.	8,000 00	1,500 47	6,499 53	655 62	122 97	532 65
4	Sewer.....	Eugenie Ave.....	Lillian St.....	South Pacific St.	2,350 00	535 09	1,814 91	192 59	43 85	148 74
					124,550 00	89,943 42	34,606 58	10,207 16	7,371 07	2,836 09

SCHEDULE "B."

All and singular that certain parcel or tract of land and premises situate lying and being in the Second Concession of the Township of Sandwich East in the County of Essex and Province of Ontario, being composed of parts of Farm Lot 99 to 110 inclusive and which parcel may be more particularly described as follows:

Commencing at the intersection of the northerly limit of the Grand Marais Road and the westerly limit of Farm Lot 99, thence northerly and along the westerly limit of Farm Lot 99 to the southerly limit of Tecumseh Road, thence easterly and along the southerly limit of Tecumseh Road to the northwesterly angle of Registered Plan (1003), thence southerly and along the westerly limit of said Registered Plan (1003), to the southwesterly angle of the said Registered Plan 1003, thence easterly and along the said southerly limit of said Registered Plan 1003 to the southeasterly angle thereof, thence northerly and along the easterly limit of the said Registered Plan 1003 to the southwesterly angle of Lot 1 according to plan of survey of part of Farm Lot 104, thence easterly and along the northerly limit of the alley of the said plan of survey of part of Farm Lot 104, the alleys of Registered Plans 1088-1102-1123 and the production easterly to a point one hundred feet east of Pellette Road, thence southerly and parallel to Pellette Road to a point at right angles to Pellette Road from the northwesterly angle of the Grand Marais Road and Pellette Road, thence westerly to the said northwesterly angle of Pellette Road and Grand Marais Road, thence northerly and along the westerly limit of Pellette Road to the northerly limit of the south half acre of the east part of Farm Lot 109 (north of Grand Marais Road), thence westerly and along the northerly limit of the said south half acre of the east part of Farm Lot 109 to the easterly limit of Arthur Road, thence westerly to the northeasterly angle of Lot 49, Registered Plan 1276, thence westerly along the rear of lots facing Grand Marais Road across Registered Plans 1276-1123-1102-1088, thence continuing westerly and parallel to the northerly limit of the Grand Marais Road and to the northeasterly angle of Lot 100 according to Registered Plan 1109, thence westerly along the rear of lots fronting on the Grand Marais Road across Registered Plan 1109 and 1140 to the northeasterly angle of Lot 386 of Registered Plan 1140, thence southerly along the easterly limit of Lot 386 of Registered Plan 1140 to the northerly limit of the Grand Marais Road, thence westerly and along the northerly limit of the Grand Marais Road to the easterly limit of Lot 99, thence southerly along the last mentioned limit to the northerly limit of Grand Marais Road, thence westerly along the said northerly limit of the Grand Marais Road to the place of beginning.

SCHEDULE "C."

All and singular that certain parcel or tract of land and premises situate lying and being in the Township of Sandwich East in the County of Essex and Province of Ontario, being composed of parts of Farm Lots 86-87-88 and 89, all of Registered Plans Numbers 1137-1097-1106 and all of registered plan Number 1090 except the lots immediately adjoining Remington Avenue between the Grand Marais Road and Eugenie Avenue and which parcel may be more particularly described as follows:

Commencing at the intersection of the Grand Marais Road and the Westerly limit of Registered Plan No. 1090, thence northerly and along the said westerly limit of Registered Plan 1090 to the easterly limit of Howard Avenue or the southwesterly angle of Registered Plan No. 1137, thence northerly and along the easterly limit of Howard Avenue to the northerly limit of the right-of-way of the Canadian Pacific Railway, thence easterly and along the said northerly limit of the Canadian Pacific Railway to the easterly limit of Farm Lot 89, thence southerly and along the last mentioned limit to the southeasterly angle of Registered Plan No. 1137, thence westerly and along the southerly limit of Registered Plan 1137 to the easterly limit of Registered Plan 1097, thence southerly and along the said easterly limit of Registered Plan 1097 to the northerly limit of the Grand Marais Road, thence westerly along the northerly limit of the Grand Marais Road to the easterly limit of Lot 1, of Registered Plan 1090, thence southerly and along the said easterly limit of Lot 1, Registered Plan 1090, to the northerly limit of the Grand Marais Road, thence westerly and along the northerly limit of the Grand Marais Road to the place of beginning.

SCHEDULE "D"

No.	Principal	Interest	Total
1	$3,668 28	$6,538 88	$10,207 16
2	3,860 86	6,346 30	10,207 16
3	4,063 57	6,143 59	10,207 16
4	4,276 90	5,930 26	10,207 16
5	4,501 44	5,705 72	10,207 16
6	4,737 76	5,469 40	10,207 16
7	4,986 50	5,220 66	10,207 16
8	5,248 29	4,958 87	10,207 16
9	5,523 82	4,683 34	10,207 16
10	5,813 82	4,393 34	10,207 16
11	6,119 04	4,088 12	10,207 16
12	6,440 29	3,766 87	10,207 16
13	6,778 41	3,428 75	10,207 16
14	7,134 27	3,072 89	10,207 16
15	7,508 83	2,698 33	10,207 16
16	7,903 05	2,304 11	10,207 16
17	8,317 95	1,889 21	10,207 16
18	8,754 64	1,452 52	10,207 16
19	9,214 26	992 90	10,207 16
20	9,698 02	509 14	10,207 16

18 George V, 1928.

BILL.

An Act respecting the Township of Sandwich East.

1st Reading

February 14th, 1928.

2nd Reading

3rd Reading

MR. POISSON.

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 48. 1928.

BILL

An Act respecting the City of North Bay.

Preamble.

WHEREAS the corporation of the city of North Bay has by its petition represented that the said corporation has incurred a floating debt of $32,000, all of which is for works of a permanent character which, if paid out of current revenue, would be unduly burdensome and oppressive on the ratepayers of the corporation; and that the petition of ratepayers, on basis of which Local Improvement by-law number 780 of said corporation was passed and work undertaken was defective; and that two assessment rolls were prepared in connection with work undertaken under Local Improvement by-law number 780 of the said corporation whereas only one special assessment roll should have been prepared for the whole work undertaken under said by-law; and that it is expedient to withdraw the two special assessment rolls prepared under by-law number 780 and that one special assessment roll be prepared for all work done under said by-law number 780 so as to impose an equal rate per foot frontage on all lots fronting or abutting on said work; and whereas the said corporation has, by its petition, prayed that it should be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of North Bay Act, 1928.*

Floating debt consolidated at $32,000.

2. The floating debt of the corporation of the city of North Bay is consolidated at the sum of $32,000, and the said corporation may borrow by a special issue of debentures a sum not exceeding $32,000 for the purpose of paying the said floating debt which debentures shall be made payable in not more than fifteen years from the date thereof.

Debentures, rate of interest.

3. The said debentures shall be in sums not less than $100 each, and shall bear interest at a rate not exceeding five per

centum per annum and may be issued either with or without coupons attached thereto for interest and shall be payable at such place or places as the corporation may deem expedient.

Equal annual instalments of principal and interest.

4. The said debentures shall be payable in equal annual instalments of principal and interest in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period for which the debentures are to run.

Special rates.

5. The said corporation shall levy in each year during the periods within which the said debentures are to run, in addition to all other rates, special rates sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application of proceeds of debentures.

6. The debentures to be issued under the authority of section 2 of this Act and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose.

Assent of electors not required.

7. It shall not be necessary to obtain the assent of the electors of the city of North Bay to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat., c. 233.

Irregularity in form not to invalidate.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing said by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to keep proper books of account.

9. It shall be the duty of the treasurer, for the time being, of the said city, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer, to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by section 2 of this Act, and the respective amounts, payment of which is thereby secured, and at the times of which the said debentures shall respectively become due and payable, and the several amounts which shall from time to time be realized from the sale or negotiation of the

said debentures, and the application which shall from time to time be made of the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said city and of any of the holders, from time to time, of the debentures which shall be issued under the powers conferred by section 2 of this Act, or any of such debentures.

By-law No. 780, confirmed.

10. By-law number 780 passed by the municipal corporation of the city of North Bay on the 17th day of November, A.D. 1925, set forth in schedule "A" hereto, is hereby confirmed and declared to be legal, valid and binding upon the corporation and the ratepayers thereof.

Power to repeal special assessment roll under By-law 780.

11.—(1) The council of the corporation of the city of North Bay may recall and repeal the special assessment rolls prepared under said by-law number 780 presented to council on the 4th day of July, 1927, and shall cause to be prepared a new special assessment roll for the whole work done under the said by-law number 780 specially assessing all lots fronting or abutting on said work at an equal rate per foot frontage.

Assessment of land of J. B. Crogan.

(2) The special assessment imposed by such new special assessment roll in so far as it affects the land of J. B. Crogan fronting on the work done under by-law number 780 shall be deemed to be a compliance with the order of His Honour H. D. Leask, made on appeal taken from court of revision for the city of North Bay, said order being dated the 5th of October, 1927.

Commencement of Act.

12. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

BY-LAW NUMBER 780

Being a By-law authorizing the construction of permanent pavements in certain streets in the City of North Bay as a Local Improvement under the provisions of The Local Improvement Act.

Whereas P. McCool, R. Davidson and others petitioned the Municipal Council to construct as a Local Improvement the work hereinafter described, and the Clerk has certified that the petition is sufficient and it is expedient to grant the prayer of the Petition in the manner hereinafter provided.

Therefore the Municipal Council of the Corporation of the City of North Bay enacts as follows:

1. That permanent pavements be constructed on certain streets in the City of North Bay as set out in Schedule "A" hereto attached and which forms part of this By-law as a Local Improvement under the provisions of The Local Improvement Act, together with all necessary private drain connections and alterations or renewals of water service pipes and stopcocks to the line of the street.

2. That the engineer of the Corporation do forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the making of a contract for the execution of the work.

3. The work shall be carried on and executed under the superintendence and according to the directions and orders of such engineer.

4. That the Mayor and Clerk are authorized to cause a contract for the execution of the work to be made and entered into with some person or persons, firm or corporation, subject to the approval of this council to be declared by resolution.

5. The Treasurer may, subject to the approval of the Council, agree with any bank or person for temporary advances of money to meet the cost of the work pending the completion of it.

6. The special assessment shall be paid by 20 equal annual instalments.

7. The debentures to be issued for the loan to be effected to pay for the cost of the work when completed shall bear interest at the rate of 5½ per cent. per annum and be payable within 20 years on the instalment plan.

8. Any person whose lot is specially assessed may commute for a payment in cash the special rates imposed thereon, by paying the portion of the cost of construction assessed upon such lot, without the interest, forthwith after the special assessment roll has been certified by the Clerk.

Read a first time in open Council this 2nd day of November, 1925.
Read a second time in open Council this 17th day of November, 1925.
Passed in open Council this 17th day of November, A.D. 1925.

"J. H. MCDONALD," *Mayor.*

"W. N. SNYDER," *Clerk.*

Schedule "A"

This is Schedule "A" referred to in By-law No. 780 of the City of North Bay, authorizing the construction of pavement, curb and gutter on certain streets or parts of streets in the City of North Bay.

Street	From	To
McIntyre Street	Chippewa Street	John Street
McIntyre Street	John Street	Regina Street
McIntyre Street	Regina Street	Fisher Street
McIntyre Street	Fisher Street	Sherbrooke Street
McIntyre Street	Sherbrooke Street	Wylde Street
McIntyre Street	Wylde Street	Ferguson Street
McIntyre Street	Ferguson Street	Fraser Street
McIntyre Street	Klock Avenue	Foran Street
McIntyre Street	Foran Street	Bye Street
McIntyre Street	Bye Street	Murray Street
McIntyre Street	Murray Street	Harvey Street
McIntyre Street	Harvey Street	Durrill Street
McIntyre Street	Durrill Street	Bell Street

Ontario.
18 George V, 1928.

BILL.

An Act respecting the City of North Bay.

1st Reading

2nd Reading

3rd Reading

MR. MOREL.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 49 1928.

BILL

An Act respecting The Hamilton, Grimsby and Beamsville Electric Railway Company.

Preamble.

WHEREAS The Hamilton, Grimsby and Beamsville Electric Railway Company has by its petition represented that by reason of the increased cost of maintenance and operation the company cannot continue to maintain and operate its railway at the rate of fare now in effect, and has by its petition prayed that, in order to enable it to continue its operations and to maintain the said railway in a condition reasonably safe for the travelling public and to so operate the said railway as to give a reasonable service, it should be authorized to so increase the fares as to enable it to obtain sufficient revenue to meet its operating and maintenance expenses and earn a reasonable return upon its investment; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Hamilton, Grimsby and Beamsville Electric Railway Company Act, 1928.*

Power to charge and take fares approved by Ry. Bd.

2. Notwithstanding anything contained in any agreement or by-law or in any general or special Act, The Hamilton, Grimsby and Beamsville Electric Railway Company may charge and take such fares as may from time to time be approved by the Railway and Municipal Board and shall not charge or take any fare which has not been so approved.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act respecting The Hamilton, Grimsby and Beamsville Electric Railway Company.

1st Reading

2nd Reading

3rd Reading

MR. JUTTEN.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 49 1928.

BILL

An Act respecting The Hamilton, Grimsby and Beamsville Electric Railway Company.

Preamble.

WHEREAS The Hamilton, Grimsby and Beamsville Electric Railway Company has by its petition represented that by reason of the increased cost of maintenance and operation the company cannot continue to maintain and operate its railway at the rate of fare now in effect, and has by its petition prayed that, in order to enable it to continue its operations and to maintain the said railway in a condition reasonably safe for the travelling public and to so operate the said railway as to give a reasonable service, it should be authorized to so increase the fares as to enable it to obtain sufficient revenue to meet its operating and maintenance expenses and earn a reasonable return upon its investment; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Hamilton, Grimsby and Beamsville Electric Railway Company Act, 1928.*

Power to charge and take fares approved by Ry. Bd.

2. Notwithstanding anything contained in any agreement or by-law or in any general or special Act, The Hamilton, Grimsby and Beamsville Electric Railway Company may charge and take such fares as may from time to time *upon the application of the company or of the corporation of any municipality through which the railway runs* be approved by the Railway and Municipal Board and shall not charge or take any fare which has not been so approved ☞provided the said board in approving of such fares shall (if requested by the council of the corporation of the city of Hamilton) order that the said company issue transfer tickets to passengers on said railway requiring same, good on the lines of the Hamilton Street Railway to any part of the city, free of charge, and from the Hamilton Street Railway to The Hamilton, Grimsby and Beamsville Railway, good within the city limits, as they may from time to time exist, also free of charge.☜

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act respecting The Hamilton, Grimsby and Beamsville Electric Railway Company.

1st Reading

February 29th, 1928.

2nd Reading

3rd Reading

MR. JUTTEN.

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 50. 1928.

BILL

An Act respecting the Niagara Falls Suspension Bridge Company.

Preamble.

WHEREAS the Niagara Falls Suspension Bridge Company have by petition prayed that an Act may be passed to confirm by-law No. ..... of the municipal corporation of the city of Niagara Falls, fixing the assessment of the said company at the sum of $175,000 for ten years from and including the year 1928; and whereas the said municipal council has by petition prayed for the passing of the said Act in order to settle certain differences which have existed between the said company and the said municipality regarding the right of the latter to assess and tax portions of the said company's property, as well as regarding the amount at which the said property should be assessed and taxed; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Niagara Falls Suspension Bridge Company Act, 1928.*

By-law No. confirmed.

2. By-law No. ..... of the municipality of the city of Niagara Falls, set forth in Schedule "A" to this Act, is hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

SCHEDULE "A."

CITY OF NIAGARA FALLS BY-LAW No. 0000

A by-law respecting the assessment and taxation of the Niagara Falls Suspension Bridge Company.

Whereas differences exist between the Corporation of the City of Niagara Falls and the Niagara Falls Suspension Bridge Company in reference to the assessment and taxation by the City Corporation of the property belonging to the said Company within the said Municipality.

And whereas such differences exist both in respect of the legal rights of the City Corporation to assess and tax portions of the said property, as well as the amount for which the property should pe assessed and taxed.

And whereas it has been agreed between the Corporation and the said Company that for the purpose of settling such differences for the next ten years the annual assessment of the property of the Company shall be fixed at the sum of $175,000.00, during the said period but that the legal rights of the Corporation and the Company shall not be affected by anything herein contained when this By-law ceases to be operative.

And whereas the Corporation has agreed to petition the Legislature for an Act to validate this By-law, such legislation to be obtained at the expense of the Company.

Therefore the Council of the Corporation of the City of Niagara Falls hereby enacts as follows:

1. That for a period of ten years from and including the year 1928 all the real estate, Bridge, property and effects of the Niagara Falls Suspension Bridge Company within the limits of the City of Niagara Falls shall be annually assessed (including business assessment) at the sum of $175,000.00 for each and every of the said years.

2. That during the said period all municipal rates, taxes, levies and assessments made or levied against the said Company, except rates or taxes in respect of local improvements and except taxation for school purposes, shall be made and levied upon the said fixed assessment of $175,000.00.

Dated this day of

Clerk. *Mayor.*

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act respecting the Niagara Falls Suspension Bridge Company.

1st Reading

2nd Reading

3rd Reading

MR. WILLSON,
(Niagara Falls.)

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 50. 1928.

BILL

An Act respecting the Niagara Falls Suspension Bridge Company.

Preamble.

WHEREAS the Niagara Falls Suspension Bridge Company have by petition prayed that an Act may be passed to confirm by-law No. 1601 of the municipal corporation of the city of Niagara Falls, fixing the assessment of the said company at the sum of $175,000 for ten years from and including the year 1928; and whereas the said municipal council has by petition prayed for the passing of the said Act in order to settle certain differences which have existed between the said company and the said municipality regarding the right of the latter to assess and tax portions of the said company's property, as well as regarding the amount at which the said property should be assessed and taxed; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Niagara Falls Suspension Bridge Company Act, 1928*.

By-law No. 1601 confirmed.

2. By-law No. *1601* of the municipality of the city of Niagara Falls, set forth in Schedule "A" to this Act, is hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

SCHEDULE "A."

City of Niagara Falls By-law No. *1601*

A by-law respecting the assessment and taxation of the Niagara Falls Suspension Bridge Company.

Whereas differences exist between the Corporation of the City of Niagara Falls and the Niagara Falls Suspension Bridge Company in reference to the assessment and taxation by the City Corporation of the property belonging to the said Company within the said Municipality.

And whereas such differences exist both in respect of the legal rights of the City Corporation to assess and tax portions of the said property, as well as the amount for which the property should pe assessed and taxed.

And whereas it has been agreed between the Corporation and the said Company that for the purpose of settling such differences for the next ten years the annual assessment of the property of the Company shall be fixed at the sum of $175,000.00, during the said period but that the legal rights of the Corporation and the Company shall not be affected by anything herein contained when this By-law ceases to be operative.

And whereas the Corporation has agreed to petition the Legislature for an Act to validate this By-law, such legislation to be obtained at the expense of the Company.

Therefore the Council of the Corporation of the City of Niagara Falls hereby enacts as follows:

1. That for a period of ten years from and including the year 1928 all the real estate, Bridge, property and effects of the Niagara Falls Suspension Bridge Company within the limits of the City of Niagara Falls shall be annually assessed (including business assessment) at the sum of $175,000.00 for each and every of the said years.

2. That during the said period all municipal rates, taxes, levies and assessments made or levied against the said Company, except rates or taxes in respect of local improvements and except taxation for school purposes, shall be made and levied upon the said fixed assessment of $175,000.00.

Dated this *6th* day of *February, 1928.*

Isabel Durdan,
Deputy Clerk.

H. P. Stephens,
Mayor.

The Petition to the President Medals.

Awarded by

CONGRESS.

2nd Session, 17th Legislature.
Ontario.
18 George V, 1928.

BILL.

An Act respecting the Niagara Falls Suspension Bridge Company.

1st Reading

February 23rd, 1928

2nd Reading

3rd Reading

MR. WILLSON,
(Niagara Falls.)

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 51. 1928.

BILL

An Act respecting the Township of Maidstone.

Preamble.

WHEREAS the corporation of the township of Maidstone has by its petition represented that it has constructed as a local improvement work, a watermain in and along the area defined in the by-law in the schedule hereto, for the purpose of supplying the owners of the lands with water for domestic purposes through a connection with the system of waterworks of the village of Belle River; and that the plans and specifications for the said work were duly approved by the Provincial Board of Health before its construction; and that in making the assessment for the cost of the work the township engineer deemed it equitable and just that a portion of the cost of the section adjoining the village of Belle River should be assessed against the whole area; and that the total cost of the said work was $78,370.38; and that the township has passed a by-law number 1113 to borrow the moneys required to defray the cost of the said work by the issue of debentures; and whereas some doubt has arisen as to the right of the engineer to make an assessment upon the area as proposed, having regard to the provisions of *The Local Improvement Act* as they stood at the time of the initiating of the said work; and whereas the said corporation has by its petition prayed that an Act may be passed to validate and confirm said by-law; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Township of Maidstone Act, 1928*.

By-law No. 1113 and debentures, confirmed.

2. By-law number 1113 of the corporation of the township of Maidstone, set out in schedule "A" hereto, to authorize the issue of debentures for the sum of $78,370.38 to provide money to defray the cost of the construction of a watermain in the area defined in the by-law, and all debentures issued or to be issued thereunder, are hereby confirmed and declared to

be legal, valid and binding upon the said corporation and the ratepayers thereof.

Special rate if debentures insufficient.

3. If the proceeds of the sale of the said debentures are insufficient to defray the cost of the work and the incidental expenses incurred in connection with the proceedings taken by the township to procure validation of the by-law and debentures, the excess may be levied and collected by a special rate on the land in such area according to the last revised assessment roll.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

By-Law No. 1113

By-law to provide for borrowing $78,370.38 upon Debentures to pay for the construction of a watermain in a defined section in the Township of Maidstone, in the County of Essex.

Whereas pursuant to Construction By-law No. 1060, passed on the Eighteenth day of October, 1926, a watermain has been constructed in a defined section of the said Township as a local improvement under the provisions of The Local Improvement Act.

And whereas before the construction of the said work the approval of the Provincial Board of Health for Ontario thereto, under the provisions of The Public Health Act, was obtained.

And whereas the total cost of the work is $78,370.38, of which $22,493.05 is the area's portion of the cost, and $55,877.33 is the owners' portion of the cost, for which a special assessment roll has been duly made and certified.

And whereas the estimated lifetime of the work is Thirty years.

And whereas it is necessary to borrow the said sum of $78,370.38 on the credit of the Corporation, and to issue Debentures therefor bearing interest at the rate of Five per centum per annum, which is the amount of the debt intended to be created by this By-law.

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of thirty years, of such amounts respectively, that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years.

And whereas it will be necessary to raise annually the sum of $5,098.11 during the period of thirty years to pay the yearly sums of principal and interest as they become due, of which $1,463.86 is required to pay the area's portion of the cost, and the interest thereon, and $3,634.24 is required to pay the owners' portion of the cost and the interest thereon.

And whereas the amount of the whole rateable property of the Municipality according to the last revised assessment roll thereof is $3,537,385.00.

And whereas the amount of the existing Debenture debt of the Corporation (inclusive of local improvement debts secured by special rates or assessments) is $187,862.12, and no part of the principal or interest is in arrear.

Therefore, the Municipal Council of the Corporation of the Township of Maidstone enacts as follows:

1. That for the purpose aforesaid there shall be borrowed on the credit of the Corporation at large the sum of Seventy-eight thousand three hundred and seventy dollars and thirty-eight cents ($78,370.38), and Debentures shall be issued therefor in sums of not less than One hundred dollars ($100.00) each bearing interest at the rate of Five per centum per annum, and having coupons attached thereto for the payment of the interest.

2. The Debentures shall all bear the same date and shall be issued within two years after the day on which this By-law is passed, and may bear any date within such two years and shall be payable in thirty annual instalments during the thirty years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as follows:

No.	Year Payable	Interest	Principal	Annual Payment
1.....	1928	$3,918 52	$1,179 59	$5,098 11
2.....	1929	3,859 54	1,238 57	.....
3.....	1930	3,797 61	1,300 50	.....
4.....	1931	3,732 59	1,365 52	.....
5.....	1932	3,664 31	1,433 80	.....
6.....	1933	3,592 62	1,505 49	.....
7.....	1934	3,517 35	1,580 76	.....
8.....	1935	3,438 31	1,659 80	.....
9.....	1936	3,355 32	1,742 79	.....
10.....	1937	3,268 18	1,829 93	.....
11.....	1938	3,176 68	1,921 43	.....
12.....	1939	3,080 62	2,017 49	.....
13.....	1940	2,979 75	2,118 36	.....
14.....	1941	2,873 82	2,224 29	.....
15.....	1942	2,762 61	2,335 50	.....
16.....	1943	2,645 83	2,452 28	.....
17.....	1944	2,523 22	2,574 89	.....
18.....	1945	2,394 48	2,703 63	.....
19.....	1946	2,259 29	2,838 82	.....
20.....	1947	2,117 35	2,980 76	.....
21.....	1948	1,968 31	3,129 80	.....
22.....	1949	1,811 83	3,286 28	.....
23.....	1950	1,647 51	3,450 60	.....
24.....	1951	1,474 98	3,623 13	.....
25.....	1952	1,293 82	3,804 29	.....
26.....	1953	1,103 61	3,994 50	.....
27.....	1954	903 88	4,194 23	.....
28.....	1955	694 17	4,403 94	.....
29.....	1956	473 98	4,624 13	.....
30.....	1957	242 83	4,855 28	5,098 11
		$74,572 92	$78,370 38	$152,943 30

3. The Debentures shall bear interest at the rate of Five per centum per annum, payable yearly, and shall be payable at the Imperial Bank of Canada in the Village of Woodslee, in the said Township.

4. The said Debentures and interest coupons shall be signed by the Reeve and Treasurer of the Corporation, and shall be sealed with the seal of the Corporation.

5. During thirty years, the currency of the Debentures, the sum of $1,463.86 shall be raised annually for the payment of the area's portion of the cost and of interest thereon, and shall be levied and raised annually by a special rate sufficient therefor, over and above all other rates, at the same time and in the same manner as other rates, upon all the rateable property in said defined section under the provisions of The Local Improvement Act, which said defined section is sometimes described herein as "area," and is particularly described as follows:—

Commencing at a point on the Westerly limit of the Village of Belle River, three hundred feet (300') south of the Tecumseh Road, thence northerly along the Westerly limit of the Village of Belle River produced to the shore of Lake St. Clair; thence westerly along the shore of Lake St. Clair to the Westerly boundary of lot Four (4) Lake Shore West River Puce Range (commonly known as Patillo Line); thence southerly along the boundary of said lot Four to a point Three hundred feet (300') south of Tecumseh Road; thence Easterly along a limit Three hundred feet (300') south of Tecumseh Road to Puce River; thence Southerly along Puce River to the line between the north half and south half of lot Two (2) East River Puce; thence easterly along the last mentioned line to a point Two hundred feet (200') east of East River Puce Road, thence northerly parallel to East River Puce Road to a point Three hundred (300') feet south of Tecumseh Road; thence easterly along a limit Three hundred (300') feet south of Tecumseh Road to the point of beginning.

6. For the payment of the Owners portion of the cost and interest thereon, the special assessment set forth in the said special Assessment

Roll is hereby imposed upon the lands liable therefor, as therein set forth, which said special assessment with a sum sufficient to cover interest thereon at the rate aforesaid, shall be payable in Thirty equal annual installments of $3,634.24 each, and for that purpose the special annual rates per foot frontage set forth in the Assessment Roll hereto attached are hereby imposed upon the lots entered in the said special Assessment Roll, according to the assessed frontage thereof, over and above all other rates and taxes, and the said special rates shall be collected annually by the Collector of Taxes for the Corporation, at the same time and in the same manner as other rates.

7. Any owner may commute the amount charged against his lands by payment in cash within two weeks of the amount set opposite the said lands in the said Assessment Roll as his total share of assessment, exclusive of interest.

This By-law shall take effect on the day of the final passing thereof.

Passed this 14th day of November, 1927.

PETER CORBETT, *Reeve.*

(SEAL)

A. MOUSSEAU, *Clerk.*

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act respecting the Township of Maidstone.

1st Reading

2nd Reading

3rd Reading

MR POISSON.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 51. 1928.

BILL

An Act respecting the Township of Maidstone.

Preamble.

WHEREAS the corporation of the township of Maidstone has by its petition represented that it has constructed as a local improvement work, a watermain in and along the area defined in the by-law in the schedule hereto, for the purpose of supplying the owners of the lands with water for domestic purposes through a connection with the system of waterworks of the village of Belle River; and that the plans and specifications for the said work were duly approved by the Provincial Board of Health before its construction; and that in making the assessment for the cost of the work the township engineer deemed it equitable and just that a portion of the cost of the section adjoining the village of Belle River should be assessed against the whole area; and that the total cost of the said work was $78,370.38; and that the township has passed a by-law number 1113 to borrow the moneys required to defray the cost of the said work by the issue of debentures; and whereas some doubt has arisen as to the right of the engineer to make an assessment upon the area as proposed, having regard to the provisions of *The Local Improvement Act* as they stood at the time of the initiating of the said work; and whereas the said corporation has by its petition prayed that an Act may be passed to validate and confirm said by-law; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Township of Maidstone Act, 1928*.

By-law No. 1113 and debentures, confirmed.

2. By-law number 1113 of the corporation of the township of Maidstone, set out in schedule "A" hereto, to authorize the issue of debentures for the sum of $78,370.38 to provide money to defray the cost of the construction of a watermain in the area defined in the by-law, and all debentures issued or to be issued thereunder, are hereby confirmed and declared to

be legal, valid and binding upon the said corporation and the ratepayers thereof.

Special rate if debentures insufficient.

3. If the proceeds of the sale of the said debentures are insufficient to defray the cost of the work and the incidental expenses incurred in connection with the proceedings taken by the township to procure validation of the by-law and debentures, the *deficiency* may be levied and collected by a special rate on *all the rateable property* in such area according to the last revised assessment roll.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

By-Law No. 1113

By-law to provide for borrowing $78,370.38 upon Debentures to pay for the construction of a watermain in a defined section in the Township of Maidstone, in the County of Essex.

Whereas pursuant to Construction By-law No. 1060, passed on the Eighteenth day of October, 1926, a watermain has been constructed in a defined section of the said Township as a local improvement under the provisions of The Local Improvement Act.

And whereas before the construction of the said work the approval of the Provincial Board of Health for Ontario thereto, under the provisions of The Public Health Act, was obtained.

And whereas the total cost of the work is $78,370.38, of which $22,493.05 is the area's portion of the cost, and $55,877.33 is the owners' portion of the cost, for which a special assessment roll has been duly made and certified.

And whereas the estimated lifetime of the work is Thirty years.

And whereas it is necessary to borrow the said sum of $78,370.38 on the credit of the Corporation, and to issue Debentures therefor bearing interest at the rate of Five per centum per annum, which is the amount of the debt intended to be created by this By-law.

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of thirty years, of such amounts respectively, that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years.

And whereas it will be necessary to raise annually the sum of $5,098.11 during the period of thirty years to pay the yearly sums of principal and interest as they become due, of which $1,463.86 is required to pay the area's portion of the cost, and the interest thereon, and $3,634.24 is required to pay the owners' portion of the cost and the interest thereon.

And whereas the amount of the whole rateable property of the Municipality according to the last revised assessment roll thereof is $3,537,385.00.

And whereas the amount of the existing Debenture debt of the Corporation (inclusive of local improvement debts secured by special rates or assessments) is $187,862.12, and no part of the principal or interest is in arrear.

Therefore, the Municipal Council of the Corporation of the Township of Maidstone enacts as follows:

1. That for the purpose aforesaid there shall be borrowed on the credit of the Corporation at large the sum of Seventy-eight thousand three hundred and seventy dollars and thirty-eight cents ($78,370.38), and Debentures shall be issued therefor in sums of not less than One hundred dollars ($100.00) each bearing interest at the rate of Five per centum per annum, and having coupons attached thereto for the payment of the interest.

2. The Debentures shall all bear the same date and shall be issued within two years after the day on which this By-law is passed, and may bear any date within such two years and shall be payable in thirty annual instalments during the thirty years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as follows:

No.	Year Payable	Interest	Principal	Annual Payment
1.....	1928	$3,918 52	$1,179 59	$5,098 11
2.....	1929	3,859 54	1,238 57	.....
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5.....	1932	3,664 31	1,433 80	.....
6.....	1933	3,592 62	1,505 49	.....
7.....	1934	3,517 35	1,580 76	.....
8.....	1935	3,438 31	1,659 80	.....
9.....	1936	3,355 32	1,742 79	.....
10.....	1937	3,268 18	1,829 93	.....
11.....	1938	3,176 68	1,921 43	.....
12.....	1939	3,080 62	2,017 49	.....
13.....	1940	2,979 75	2,118 36	.....
14.....	1941	2,873 82	2,224 29	.....
15.....	1942	2,762 61	2,335 50	.....
16.....	1943	2,645 83	2,452 28	.....
17.....	1944	2,523 22	2,574 89	.....
18.....	1945	2,394 48	2,703 63	.....
19.....	1946	2,259 29	2,838 82	.....
20.....	1947	2,117 35	2,980 76	.....
21.....	1948	1,968 31	3,129 80	.....
22.....	1949	1,811 83	3,286 28	.....
23.....	1950	1,647 51	3,450 60	.....
24.....	1951	1,474 98	3,623 13	.....
25.....	1952	1,293 82	3,804 29	.....
26.....	1953	1,103 61	3,994 50	.....
27.....	1954	903 88	4,194 23	.....
28.....	1955	694 17	4,403 94	.....
29.....	1956	473 98	4,624 13	.....
30.....	1957	242 83	4,855 28	5,098 11
		$74,572 92	$78,370 38	$152,943 30

3. The Debentures shall bear interest at the rate of Five per centum per annum, payable yearly, and shall be payable at the Imperial Bank of Canada in the Village of Woodslee, in the said Township.

4. The said Debentures and interest coupons shall be signed by the Reeve and Treasurer of the Corporation, and shall be sealed with the seal of the Corporation.

5. During thirty years, the currency of the Debentures, the sum of $1,463.86 shall be raised annually for the payment of the area's portion of the cost and of interest thereon, and shall be levied and raised annually by a special rate sufficient therefor, over and above all other rates, at the same time and in the same manner as other rates, upon all the rateable property in said defined section under the provisions of The Local Improvement Act, which said defined section is sometimes described herein as "area," and is particularly described as follows:—

Commencing at a point on the Westerly limit of the Village of Belle River, three hundred feet (300′) south of the Tecumseh Road, thence northerly along the Westerly limit of the Village of Belle River produced to the shore of Lake St. Clair; thence westerly along the shore of Lake St. Clair to the Westerly boundary of lot Four (4) Lake Shore West River Puce Range (commonly known as Patillo Line); thence southerly along the boundary of said lot Four to a point Three hundred feet (300′) south of Tecumseh Road; thence Easterly along a limit Three hundred feet (300′) south of Tecumseh Road to Puce River; thence Southerly along Puce River to the line between the north half and south half of lot Two (2) East River Puce; thence easterly along the last mentioned line to a point Two hundred feet (200′) east of East River Puce Road, thence northerly parallel to East River Puce Road to a point Three hundred (300′) feet south of Tecumseh Road; thence easterly along a limit Three hundred (300′) feet south of Tecumseh Road to the point of beginning.

6. For the payment of the Owners portion of the cost and interest thereon, the special assessment set forth in the said special Assessment

Roll is hereby imposed upon the lands liable therefor, as therein set forth, which said special assessment with a sum sufficient to cover interest thereon at the rate aforesaid, shall be payable in Thirty equal annual installments of $3,634.24 each, and for that purpose the special annual rates per foot frontage set forth in the Assessment Roll hereto attached are hereby imposed upon the lots entered in the said special Assessment Roll, according to the assessed frontage thereof, over and above all other rates and taxes, and the said special rates shall be collected annually by the Collector of Taxes for the Corporation, at the same time and in the same manner as other rates.

7. Any owner may commute the amount charged against his lands by payment in cash within two weeks of the amount set opposite the said lands in the said Assessment Roll as his total share of assessment, exclusive of interest.

This By-law shall take effect on the day of the final passing thereof.

Passed this 14th day of November, 1927.

PETER CORBETT, *Reeve*.

(SEAL)

A. MOUSSEAU, *Clerk*.

Ontario.
18 George V, 1928.

BILL.

An Act respecting the Township of Maidstone.

1st Reading

February 14th, 1928.

2nd Reading

3rd Reading

MR POISSON.

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 52. 1928.

BILL

An Act respecting the Township of Scarborough.

Preamble.

WHEREAS the municipal corporation of the township of Scarborough has by petition represented that it has expended upwards of one million dollars in constructing a system of water works during the seven years last past, and other large sums for improvements in the township, and is now about to make further expenditures for the installation of a sewerage system which it is estimated will cost upwards of seven hundred thousand dollars; and that for the reasons mentioned it is inexpedient that any part of the township should be annexed to any other municipality, or be incorporated as a separate municipality; and has by its said petition prayed that *The Township of Scarborough Act, 1923*, may be amended as hereinafter provided; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Township of Scarborough Act, 1928*.

No part of township to be incorporated or annexed for a period of ten years.

Rev. Stat., c. 233.

2. Notwithstanding the provisions of *The Municipal Act* or any other Act, no part of the township of Scarborough shall be annexed to any adjoining municipality, nor be incorporated as a municipality separate and apart from the township of Scarborough, without the approval of the council of the corporation of the township of Scarborough expressed by by-law of that township, for a period of ten years after this Act shall come into force.

1923, c. 88, s. 13, amended.

3. Section 13 of *The Township of Scarborough Act, 1923*, is amended by adding thereto the following subsection:

(*b*) Whenever a sewer is constructed so that it may be used both as a trunk sewer and a lateral sewer for the benefit of abutting or adjacent property, such portion of the cost thereof as the council of the

Rev. Stat., c. 235.

corporation may designate shall, subject to the provisions of section 23 of *The Local Improvement Act*, be charged against such abutting or adjacent property, and the balance against the area or areas liable therefor, and in case a sewer be constructed for use as a trunk sewer only, and is afterwards used for the benefit of any abutting or adjacent property in place of constructing a separate sewer for that purpose, the council may, during the lifetime of the work, charge such portion of the cost thereof against such abutting or adjacent property as it may deem just, subject to the provisions of section 23 of *The Local Improvement Act*.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act respecting the Township of Scarborough.

1st Reading

2nd Reading

3rd Reading

MR. MACAULAY.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 52. 1928.

BILL

An Act respecting the Township of Scarborough.

Preamble.

WHEREAS the municipal corporation of the township of Scarborough has by petition represented that it has expended upwards of one million dollars in constructing a system of water works during the seven years last past, and other large sums for improvements in the township, and is now about to make further expenditures for the installation of a sewerage system which it is estimated will cost upwards of seven hundred thousand dollars; and that for the reasons mentioned it is inexpedient that any part of the township should be annexed to any other municipality, or be incorporated as a separate municipality; and has by its said petition prayed that *The Township of Scarborough Act, 1923*, may be amended as hereinafter provided; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Township of Scarborough Act, 1928*.

No part of township to be incorporated or annexed for a period of seven years.

☞**2**. No part of the township of Scarborough shall, for a period of seven years after this Act comes into force, be annexed to any adjoining municipality, or be incorporated as a municipality separate and apart from the township of Scarborough, without the assent of the municipal electors of the said township obtained on the submission of a question for that purpose in conformity with the provisions of *The Municipal Act*.☜

Rev. Stat., c. 233.

1923, c. 88, s. 13, amended.

3. Section 13 of *The Township of Scarborough Act, 1923*, is amended by adding thereto the following subsection:

(*b*) Whenever a sewer is constructed so that it may be used both as a trunk sewer and a lateral sewer for the benefit of abutting or adjacent property, such portion of the cost thereof as the council of the

corporation may designate shall, subject to the provisions of section 23 of *The Local Improvement Act*, be charged against such abutting or adjacent property, and the balance against the area or areas liable therefor, and in case a sewer be constructed for use as a trunk sewer only, and is afterwards used for the benefit of any abutting or adjacent property in place of constructing a separate sewer for that purpose, the council may, during the lifetime of the work, charge such portion of the cost thereof against such abutting or adjacent property as it may deem just, subject to the provisions of section 23 of *The Local Improvement Act*.

Rev. Stat., c. 235.

Holding school elections by ballot.

☞**4.**—(1) The Public School Board of any rural school section in the township of Scarborough, other than a union school section, may, on or before the first day of October in any year, by written application made to the clerk of the municipality or head of the council, require the election of public school trustees for such section to be held thereafter by ballot on the same day, and at the same time and places in such section as the election of reeves and councillors.

Sanction of electors.

(2) Before the application is made it shall be sanctioned by the electors of such section at a special meeting duly called for the purpose of considering the same, such meeting to be called and held in the manner prescribed by the provisions of *The Public Schools Act* relating to school meetings in rural school sections.

Township by-law to be passed following application, providing for holding election.

(3) If the application is sanctioned such public school board shall forthwith make the application to the township council requiring the election to be held by ballot, and the township council shall thereupon pass a by-law providing that such election shall thereafter be held at the same time and place, and by the same returning officer or officers, and conducted in the same manner as the nominations and election of reeves and councillors, and the provisions of *The Municipal Act* respecting the time and manner of holding the election, including the mode of receiving nominations for office, and the resignation of persons nominated, vacancies and declarations of qualification and office, shall *mutatis mutandis* apply to the election, and every person whose name is on the voters' list for such municipal election, and who is a ratepayer in such section, and every other person whose name is on such list and who is qualified to vote at such municipal election, and who resides in such section, and is not a supporter of separate schools, shall be entitled to vote at such election.

Separate ballot papers for each section.

(4) A separate set of ballot papers shall be prepared for each such section, containing the names of the candidates, in

the same form *mutatis mutandis* as those used for reeves or councillors, and no ballot shall be delivered to any person who is entered on the list of voters as a separate school supporter.

Application of Rev. Stat., c. 323, s. 79.

(5) The provisions of section 79 of *The Public Schools Act*, relating to controverted elections shall *mutatis mutandis* apply to any election held pursuant to this section.

By-law to stand for three years.

(6) After the passing of such by-law no change in the mode of conducting such election shall be made for a period of three years, after which time the council may repeal such by-law upon the written application of such public school board made before the first day of October in any year after such application has been sanctioned at a special meeting of the electors held during such year in the manner prescribed in subsections (2) (3) and (4) of section 4 of this Act, and thereafter no further change shall be made in the mode of election for a period of three years after the repeal of such by-law.

Vacancy in office of trustee.

(7) Where in any such school section the office of trustee becomes vacant from any cause, the remaining trustees shall forthwith call a special meeting of the electors and hold an election to fill the vacancy until the next annual municipal election, in the manner prescribed by sections 67 and 68 of *The Public Schools Act*, and at the next annual municipal election a trustee shall be elected to fill the vacancy for the remainder, if any, of the unexpired term.

First meeting of Public School Board.

(8) In each such section the first meeting of the public school board in each year shall be held at the school house of the section on the first Wednesday following the declaration by the township clerk of the result of the poll.

Poll book.

(9) A column shall be added to the poll book furnished for the municipal election to the deputy returning officer in every subdivision of each such school section, with appropriate heading, which column shall be used by the deputy returning officer in taking the vote for the election of school trustees, in like manner, and for the like purposes, *mutatis mutandis*, as the other columns in such poll book are used pursuant to Part III of *The Municipal Act*.

Form of ballot papers.

5. Notwithstanding the provisions of *The Municipal Act*, in each case where a poll is required at the municipal election in the township of Scarborough, there shall be prepared separate sets of ballot papers for all the polling subdivisions as follows:—

One set containing the names of the candidates for reeve.

One set containing the names of the candidates for first deputy reeve.

One set containing the names of the candidates for second deputy reeve.

One set containing the names of the candidates for third deputy reeve, and

One set containing the names of the candidates for councillor, and the ballot papers shall be printed according to Form 3 of *The Municipal Act* adapted to suit the case of each such set.

Tax sales and deeds, confirmed.

6.—(*1*) *Subject to subsection 2*, all sales of land within the township made prior to the thirty-first day of December, one thousand nine hundred and *twenty-five*, which purport to have been made by the corporation for arrears of taxes in respect to lands so sold, for which tax deeds have been issued by the said corporation are hereby validated and confirmed, and all deeds of lands so sold, executed by the reeve and treasurer of the corporation purporting to convey the said lands so sold to the purchaser thereof, or his, her or their assigns, are hereby validated and confirmed, and shall have power of vesting the lands so sold or conveyed, or purporting to be sold or conveyed, and the same are hereby vested in the purchaser, or his, her or their assigns, in fee simple, free and clear of and from all title or interest whatsoever of the owner or owners thereof at the time of such sale, or his, her or their assigns, and all charges or encumbrances thereon and dower therein, except taxes, for the non-payment of which the said lands were sold.

(2) Nothing in this section contained shall affect any action or other proceeding now pending, and such action or other proceeding may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act respecting the Township of Scarborough.

1st Reading

February 29th, 1928.

2nd Reading

3rd Reading

MR. MACAULAY.

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 53. 1928.

BILL

An Act respecting the Town of Wingham.

Preamble.

WHEREAS the municipal corporation of the town of Wingham, in the county of Huron, has by its petition represented that by By-law number 835 passed in the year 1920 by the said corporation provision was made for granting a bonus to one William Gunn, carrying on business in the said town of Wingham under the firm name and style of "Gunn-Son-Ola Company," by way of a loan of $10,000 repayable in seven years without interest secured by a first mortgage on the land, buildings, machinery and plant of said company, and that the said Gunn is desirous of obtaining from the said corporation of the town of Wingham a renewal of the said mortgage for a term of ten years without interest, the principal to be repayable as hereinafter mentioned, and that the said corporation of the town of Wingham is desirous of granting the said renewal as requested by said Gunn; and whereas the municipal corporation of the town of Wingham has prayed that an Act be passed by the Legislature of this Province authorizing the said municipal corporation to enter into an agreement extending unto the said Gunn the time for repayment of the said mortgage; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of Wingham Act, 1928*.

Power to extend time for payment of mortgage.

2. The municipal corporation of the town of Wingham by and through its municipal council may enter into an agreement extending unto the said William Gunn the time for repayment of the sum of ten thousand ($10,000) dollars secured by mortgage dated the 11th day of October, 1920, which sum of ten thousand ($10,000) dollars fell due on the 11th day of October, 1927, so that the said sum of ten thousand ($10,000) dollars may fall due as follows:—

Five hundred ($500) dollars on the 11th day of October, 1928;

Five hundred ($500) dollars on the 11th day of October, 1929;

Five hundred ($500) dollars on the 11th day of October, 1930;

Five Hundred ($500) dollars on the 11th day of October, 1931;

Five hundred ($500) dollars on the 11th day of October, 1932;

Fifteen hundred ($1,500) dollars on the 11th day of October, 1933;

Fifteen hundred ($1,500) dollars on the 11th day of October, 1934;

Fifteen hundred ($1,500) dollars on the 11th day of October, 1935;

Fifteen hundred ($1,500) dollars on the 11th day of October, 1936; and

Fifteen hundred ($1,500) dollars on the 11th day of October, 1937.

General powers.

3. The said municipal council may pass all by-laws and do all acts and things necessary to enter into and give effect to an agreement extending the time for the repayment of the said mortgage as herein set forth.

Ontario.
18 George V, 1928.

BILL.

An Act respecting the Town of Wingham.

1st Reading

2nd Reading

3rd Reading

MR. ROBERTSON (North Huron).

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 54. 1928.

BILL

An Act respecting the City of Sault Ste. Marie.

Preamble.

WHEREAS the municipal council of the corporation of the city of Sault Ste. Marie, hereinafter called the corporation, has, by petition, represented that by-laws numbers 1333 and 1340 were duly passed by the corporation and the contracts authorized thereby duly entered into with "The Great Lakes Power Company, Limited," and that it is desirable that the said by-laws and the contracts so entered into should be validated and confirmed, and also that the by-laws of the said corporation set forth in schedule "2" hereto should be validated and confirmed, and that all sales of land within the city of Sault Ste. Marie made subsequent to the 31st day of December, 1924, and prior to the 1st day of January, 1928, which purport to have been made by the said corporation for arrears of taxes in respect to the land so sold, for which tax deeds have been issued by the said corporation, be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of Sault Ste. Marie Act, 1928.*

By-laws Nos. 1333, 1340 and contracts with The Great Lakes Power Co. confirmed.

2. By-laws number 1333 and number 1340 of the corporation and the contracts with "The Great Lakes Power Company, Limited," authorized by said by-laws and set out in schedule "1" hereto, are confirmed and declared to be legal, valid and binding upon the corporation and the ratepayers thereof, and upon the said company.

Debenture by-laws in Schedule 2 confirmed.

3. The by-laws of the said corporation specified in schedule "2" hereto are hereby confirmed and declared to be legal, valid and binding upon the corporation and the ratepayers thereof.

Tax Sales and deeds confirmed.

4.—(1) All sales of land within the city of Sault Ste. Marie made subsequent to the 31st day of December, 1924, and

prior to the 1st day of January, 1928, which purport to have been made by the corporation of the said city for arrears of taxes in respect to lands so sold for which tax deeds have been issued by the said corporation, are hereby validated and confirmed, and all deeds of lands so sold executed by the mayor and treasurer of the said corporation on behalf of the said corporation, purporting to convey the said lands so sold to the purchaser thereof or his, her or their assigns are hereby validated and confirmed, and shall have the power of vesting the lands so sold or conveyed or purporting to be sold or conveyed and the same are hereby vested in the purchaser or his or her or their heirs and assigns in fee simple, free and clear of and from all title or interest whatsoever of the owner or owners thereof at the time of such sale, or his, her or their assigns, and all charges or encumbrances thereon, except taxes accrued since those for which non-payment whereof the said lands were sold.

Case of municipality as purchaser.

(2) Subsection 1 of this section shall extend and apply to cases where the said corporation or any person or persons in trust for it or in its behalf, became the purchaser of lands at any such tax sale.

Pending litigation not affected.

(3) Nothing in this section contained shall affect any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Commencement of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE 1.

BY-LAW NUMBER 1333 OF THE CITY OF SAULT STE. MARIE

A By-law to authorize the Municipal Corporation of the City of Sault Ste. Marie to enter into a contract with the Great Lakes Power Company, Limited, for a supply of electrical power.

Whereas it is deemed expedient to enter into a contract with the Great Lakes Power Company, Limited, for a supply of electrical power on the terms and conditions set forth in the form of contract hereto annexed as Schedule "A" and forming part of this By-law; and the liability to be created by this By-law and the said contract is fully set forth in the form of contract hereto annexed as Schedule "A."

And whereas the amount of the whole rateable property of the Municipality according to the last revised assessment roll is $22,771,851.00.

And whereas the amount of the debenture debt of the Corporation is $4,152,270.88, and no part of the principal or interest of said debenture debt is in arrear.

Be it therefore enacted, by the Municipal Council of the Corporation of the City of Sault Ste. Marie as follows:

1. The Municipal Corporation of the City of Sault Ste. Marie shall enter into a contract with the Great Lakes Power Company, Limited, according to the terms and conditions set forth and contained in the form of contract marked Schedule "A" attached to and forming part of this By-law.

2. The Mayor and the Clerk of the said Municipal Corporation of the City of Sault Ste. Marie are hereby authorized and directed to execute a contract for the said purpose and in accordance with the terms and conditions set forth in the form of contract hereto annexed as Schedule "A" and to affix thereto the Corporate Seal of the said Municipal Corporation.

3. That this By-law shall not come into force or have any effect unless and until it has been assented to by the Municipal electors as provided in The Consolidated Municipal Act, 1922, and has been finally passed by the Municipal Council of the said Municipal Corporation.

Read a first time this second day of December, A.D. 1927.

(Signed) R. G. CAMPBELL, *Clerk*.

Read a Second and Third time and, having been assented to by the Municipal electors, passed in open Council, this seventh day of February, A.D. 1928.

"T. J. IRWIN," *Mayor*.

"R. G. CAMPBELL," *Clerk*.

Schedule "A."

REFERRED TO IN AND FORMING PART OF THE ATTACHED BY-LAW NUMBER 1333, SIGNED "R. G. CAMPBELL," *City Clerk.*

This Indenture made in duplicate the Tenth day of February, in the year of our Lord, one thousand nine hundred and twenty-eight.

BETWEEN:

THE GREAT LAKES POWER COMPANY, LIMITED, a Corporation incorporated under the laws of the Province of Ontario, hereinafter called the "Company,"

of the first part,

—and—

THE MUNICIPAL CORPORATION OF THE CITY OF SAULT STE. MARIE, hereinafter called the "Corporation,"

of the second part.

Whereas the Company is now carrying on the business of producing and selling Hydro-Electric energy in the City of Sault Ste. Marie.

And whereas the Company is now under contract to supply and deliver to the said Corporation, electric energy to the extent of four thousand (4,000) horse-power.

And whereas the said Corporation desires to acquire and reserve additional Hydro-Electric energy.

Now therefore this indenture witnesseth that in consideration of the premises the parties hereto agree each with the other as follows:

1. The Company agrees:

(*a*) To continue to reserve and to supply and deliver to the Corporation the four thousand (4,000) horse-power hereinbefore referred to, at the rate of Twenty-two Dollars ($22.00) per horse-power per annum;

(*b*) To reserve, to supply and deliver to the Corporation one thousand (1,000) horse-power additional electric energy, within three (3) months from the execution of this agreement, the same to be delivered and to be paid for in amounts as and when used by the Corporation, at Twenty Dollars ($20.00) per horse-power per annum, for said one thousand (1,000) horse-power;

(*c*) To reserve to the Corporation further additional electric energy, to the extent of five thousand (5,000) horse-power, and to supply and deliver the same to the Corporation in blocks of not less than one thousand (1,000) horse-power each, the first of such blocks of electric energy to be supplied and delivered within fifteen (15) months of written demand made therefor by the Corporation, and any subsequent block within three (3) months of written demand as aforesaid, and the said five thousand (5,000) horse-power, or any portion thereof to be paid for at a rate to be agreed on between the Company and the Public Utilities Commission of the Corporation, and in case of disagreement the rate shall be arbitrated before and settled by the Hydro-Electric Power Commission, whose decision shall be final and binding on both parties hereto but in no case shall the said rate exceed twenty-two ($22.00) Dollars per horse-power per annum;

(*d*) 1. The Company agrees that for the purpose of carrying out the obligations undertaken for the supply and delivery of the entire block of five thousand (5,000) horse-power, or any part thereof, mentioned in clause (*c*) of paragraph 1 hereof, the Company will cause to be developed, either at the Michipicoten River or the Montreal River, a power development sufficient to furnish such power and to construct the necessary transmission lines to Sault Ste. Marie for the delivery of such power.

(*d*) 2. In addition to any other remedy the Corporation may have, time is to be considered as of the essence of the above paragraph 1, and in the event of the Company neglecting or refusing to carry out such undertaking the Corporation shall be at liberty to cancel this agreement, or this agreement in so far as it relates to the last five thousand (5,000) horse-power mentioned in clause (*c*) of paragraph 1 hereof;

(*e*) To use at all times, first class, modern, standard commercial apparatus and plant and to exercise all due diligence so as to secure the most perfect operation of the plant or plants and apparatus of the Company;

(*f*) To deliver commercially continuous twenty-four (24) hour power every day in the year, except as provided for herein, at the point of delivery herein defined as the city's sub-station within the city limits of the Corporation.

2. The Corporation agrees:

(*a*) Subject to the provisions of clause "B" hereof to pay to the Company monthly for all power taken by the Corporation at the rates hereinbefore specified;

Each month's payments are to be made as though the maximum amount taken during that month was taken for the whole month, save that Clause "B" hereof shall govern the minimum.

(*b*) For electric power supplied up to five thousand (5,000) horse-power, under clauses "A" and "B" of paragraph 1 hereof, the minimum amount of power to be paid for, whether used by the Corporation or not, shall be three-fourths of the greatest amount of power previously taken and used by the Corporation as measured under the terms of this agreement.

When additional electric energy is ordered or demanded by the Corporation, under clause "C" of paragraph 1 hereof, the minimum amount of power to be paid for, whether used by the Corporation or not, shall be three-fourths of the total amount of power demanded by the Corporation.

The said total power shall include the five thousand (5,000) horse-power referred to in clauses "A" and "B" of paragraph 1 hereof, together with such additional block or blocks of power that may be demanded by the Corporation under the provisions of clause "C" of paragraph 1 hereof, at such time or times as the said blocks, or either of them, are actually delivered or held in reserve by the Company, in pursuance of the terms of the demand or demands of the Corporation, or such earlier time or times as the Corporation may agree, in writing, to accept delivery of the said blocks and the Company agreeing to deliver the same.

(*c*) To use all diligence by every lawful means in its power to prepare for the receipt and use of the power covered by and demanded by the Corporation, under this agreement, so as to be able to receive power on the times of delivery as aforesaid provided.

(*d*) At all times to take and use the three-phase power in such a manner that the current will be equally taken from the three phases and in no case shall the difference between any two phases be greater than ten per cent. (10%).

(*e*) At all times to so take and use the three-phase power that the ratio of the kilowatts to the kilovolt-amperes is a maximum, but in any event the customer shall pay for at least ninety per cent. (90%) of the maximum kilovolt-amperes considered as true power of kilowatts. The maximum demand in kilovolt-amperes or kilowatts shall be taken as the maximum average or integrated demand over any twenty consecutive minutes.

One horse-power is defined as 0.746 kilowatts.

One kilowatt is defined as the product of the instantaneous current

voltage and power-factor of the load as shown by a standard polyphase wattmeter and divided by one thousand.

One kilovolt-ampere is defined as the product of the simultaneous average current per phase times the average voltage between phases, times 1,732 and divided by one thousand.

For the purposes of this agreement, the kilovolt-amperes may be determined either directly by current and voltage measurements or by the kilowatts divided by the power factor or by any other commercially accurate means as may be approved by the Company.

The power factor is defined as kilowatts divided by kilovolt-amperes

(*f*) To take electric energy exclusively from the Company during the continuance of this agreement, or any renewal thereof, until such time as the Corporation requires Hydro-Electric energy in excess of the amount provided for in this agreement.

(*g*) Bills shall be rendered by the Company to the Corporation on or before the tenth day and paid by the Corporation on or before the twentieth day of each calendar month.

If any bill remains unpaid for fifteen (15) days after the date thereof the Company may, in addition to all other remedies, and without notice, discontinue the supply of power to the Corporation until the said bill is paid, and no such discontinuance by the Company shall relieve the Corporation from the performance of the covenants, provisoes and conditions herein contained.

All payments in arrears shall bear interest at the legal rate.

(*h*) To use at all times modern, standard, commercial apparatus and plant to be approved by the Company from time to time, which approval shall not unreasonably be withheld, and to so operate and conduct the plant and apparatus as to cause minimum disturbances or fluctuations to the Company's supply, and to exercise all due skill and diligence so as to secure the satisfactory operation of the plant and apparatus of both the Company and the Corporation.

(*i*) Should it be expedient or necessary for the Company in order to deliver power hereunder, to construct or build poles, lines, cables, transformers, switches, or other appliances or devices on, over or through the property of the Corporation, the Corporation hereby agrees to supply and arrange for such necessary rights-of-way free of cost, and satisfactory to the Company, for the life of this agreement, or renewals thereof and for thirty (30) days thereafter, so that the Company may build, erect, construct, operate, repair, maintain and remove any of said apparatus or devices belonging to the Company.

(*j*) The power delivered hereunder shall be alternating three-phase, having a periodicity of approximately sixty cycles per second, and a voltage of approximately 2,300 volts between phase wires, subject to normal variations in both frequency and voltage.

(*k*) Any demands for blocks of power mentioned in clause "*c*" of paragraph 1 hereof shall be made *bona fide* and in good faith, and for use that it has reasonably in contemplation.

It is mutually agreed as follows:

3. (*a*) Measurement of the power held in reserve or taken by the Corporation hereunder shall be made by means of a standard polyphase Graphic Recording Wattmeter, and other meters as required, so arranged as to accurately measure and record the power taken by the Corporation.

The greatest average or integrated power demand made by the Corporation for twenty (20) consecutive minutes in any month, as shown by the aforementioned instruments, shall be used as the basis of billing and paying for the power taken by the Corporation hereunder.

Provided, however, that the billing contemplated in this paragraph shall not be less than the payments for power contemplated in clause "*b*" of paragraph 2 hereof.

(*b*) The point of measuring the power covered by this agreement shall be as near as possible to the point of delivery, and the instruments, with the necessary current and potential transformers for the measurement of power hereunder, shall be provided, installed and maintained correct by the Company.

(*c*) Whenever the said measuring instruments are connected at other than the point of delivery their reading shall be subject to a correction and shall be corrected to give a reading such as would be obtained by instruments connected at the point of delivery. Such corrections shall be based upon tests or calculations by the Company.

(*d*) Should the point of measurement be located on the premises of the Corporation no rental charge shall be made to the Company for the location of said instruments or transformers on the Corporation's premises.

(*e*) Access to said instruments and transformers belonging to the Company shall be free to the Company at any and all times and the Company may test, calibrate or remove said measuring instruments and transformers at any reasonable time, but when possible the Corporation shall be advised at least seven (7) days in advance of the Company's intention to re-calibrate, remove or change the measuring instruments.

(*f*) The Corporation shall have the right to test any such measuring instruments, in the presence of a representative of the Company, by giving to the Company seven days' previous notice in writing of its desire to test such measuring instruments.

(*g*) The Company shall repair or replace and re-test defective meters or measuring equipment within a reasonable time, but, during the time there is no meter in service it shall be assumed that the power consumed is the same as for the other days of the same month on which a similar load existed.

(*h*) The Corporation shall be responsible for any damage to the property or apparatus furnished by the Company for the purpose of supplying or measuring power hereunder and installed on the Corporation's property, providing such damage originates from a source external to the said apparatus of the Company, and is not due to defects in the apparatus of the Company, but not to include damage caused by lightning.

4 (*a*). The maintenance by the Company of approximately the agreed voltage at approximately the agreed frequency at the point of delivery shall constitute the supply of power involved herein and a fulfilment of all the operating obligations hereunder, and when the voltage and the frequency are so maintained the amount of power, its fluctuations, load factor, power factor, distribution as to phases, and all other characteristics and qualities are under the sole control of the Corporation, its agents, apparatus, appliances and circuits.

(*b*) In case the supply of power be interrupted and the Company shall at any time or times be so prevented from delivering said power or any part thereof, or the Corporation be prevented from taking such power, by strikes, lockouts, riot, fire, lightning, invasion, explosion, act of God, or of the King's enemies, act of any Governmental body, or by reason of any other cause or causes reasonably beyond its control, then the Company shall not be bound to deliver such power during such time and the Corporation shall not be bound to pay for such power during such time.

(*c*) The Company shall be prompt and diligent in removing the cause of such interruption, but the Corporation shall not be bound to pay for such power during such time. As soon as the cause of such interruption is removed the Company shall, without any delay, deliver the said power as aforesaid, and the Corporation shall take and use the same.

(*d*) It is further agreed hereby that the Company shall have the right

at reasonable times, and when possible after due notice has been given to the Corporation to discontinue the supply of power to the Corporation for the purpose of safeguarding life or property, or for the purpose of making repairs, renewals, or replacements to the lines or apparatus of the Company, but all such interruptions shall be of a minimum duration and when possible arranged for at a time least objectionable to the Corporation.

Such interruptions shall not release the Corporation from its obligations to pay for or resume the use of power when service is restored.

(*e*) If, and so often, as any interruption shall occur in the electric power service of the Company to the Corporation, in connection with its domestic use, due to any cause or causes, other than those provided for under section 4(*b*) and (*d*) hereof, the Company shall pay to the Corporation, as liquidated and ascertained damages, and not by way of penalty, an amount equal to double the amount payable by the Corporation for power which should have been supplied during the time of such interruption.

5. A representative or engineer of the Company appointed for this purpose may, at any reasonable time during the continuance of this agreement, have access to the premises of the Corporation for the purpose of inspecting the electrical apparatus, plant or property of the Corporation and to take records therefrom as required, and the Corporation shall have a similar right in respect to the premises of the Company.

6. It is further understood and agreed between the parties hereto that the Company will not sell power to any new customer in amounts less than four hundred (400) horse-power, except with the consent of the Public Utilities Commission of the City of Sault Ste. Marie and in no case will the Company sell to other customers electric energy for domestic or commercial lighting or water purposes, save when power is sold to industrial institutions who make use of part of the said power for its own lighting service.

7. In the event of disagreement between the Company and the Corporation, as to the meaning of this agreement, or any clause thereof, or carrying out the terms of this agreement, the same shall be adjusted and settled by arbitration, and shall be subject to The Ontario Arbitration Act and amendments thereto.

10. It is further understood and agreed that contracts between the Algoma Steel Corporation and the Corporation of the City of Sault Ste. Marie, dated the 2nd day of October, 1914, and the assignment thereof to the Great Lakes Power Company, Limited, and contract between the Great Lakes Power Company, Limited, and the Corporation of the Town of Steelton, bearing date the 1st day of September, 1916, are hereby cancelled and this agreement shall constitute the sole and only contract dealing with the supply of electric energy between the parties hereto.

This clause shall not be operative until, as and when this contract has been executed by the parties hereto in pursuance of the necessary enabling by-law being actually passed by the Corporation, and the terms of this contract shall be applicable to the original block of four thousand (4,000) horse-power as well as the additional blocks hereinbefore referred to.

11. The Company shall be entitled at the termination of this agreement or any extension thereof, or within thirty (30) days thereafter, to remove from the Corporation's premises any and all plant or equipment which may have been installed by the Company for the supply or measurement of power hereunder.

12. This contract shall be and remain in full force and effect for a period of ten (10) years from the date hereof and at the expiration of the said ten (10) years the Corporation shall have the right to renew the said contract on the same terms and conditions, for a further period of ten (10) years and on the expiration of the said renewal then for further renewals of ten (10) years each up to and including a third renewal so as to make the term of this contract, with renewals, optional to the Corporation, a period of forty (40) years, and in so far as this contract refers to and deals with

the blocks of power referred to in clauses "*a*" and "*b*" in paragraph 1 hereof, the Corporation shall have the right beyond the said forty (40) year period for such further renewal periods of ten (10) years each as the Corporation, at its option, may decide to enter into. In case of any renewal the Corporation shall give the Company six (6) months' notice in writing of its intention so to do.

This agreement shall be binding upon and enure to the benefit of the parties hereto and the successors and assigns of the parties hereto.

It witness whereof the parties hereto have hereunto set their Corporate Seals, attested by the signatures of the proper officers respectively:

SIGNED, SEALED AND DELIVERED
in the presence of:

THE GREAT LAKES POWER COMPANY, LIMITED,

"A. E. PICKERING" as to execution by JNO. A. MCPHAIL.

By "JNO. A. MCPHAIL,"
Vice-President.

(SEAL)

"ETHEL HUGILL" as to execution by J. M. MCNEIL.

By "J. M. MCNEIL,"
Assistant Secretary.

THE MUNICIPAL CORPORATION OF THE CITY OF SAULT STE. MARIE,

"H. S. HAMILTON," as to execution by T. J. IRWIN and R. G. CAMPBELL.

By "T. J. IRWIN,"
Mayor.

By "R. G. CAMPBELL,"
(SEAL) *Clerk.*

BY-LAW NUMBER 1340 OF THE CITY OF SAULT STE. MARIE

A By-law to authorize the Municipal Corporation of the City of Sault Ste. Marie to enter into a Supplemental Contract with the Great Lakes Power Company, Limited, for the better securing the carrying out of a contract by the said Great Lakes Power Company, Limited, for a supply of electrical power to the said Municipal Corporation.

Whereas a By-law was submitted for and obtained the assent of the Municipal Electors of the said City of Sault Ste. Marie at the Municipal Elections held on the second day of January, 1928, authorizing the Municipal Corporation of the said City to enter into a contract with the Great Lakes Power Company, Limited, for a supply of electrical power on the terms and conditions set forth in a form of contract attached to and forming part of said By-law;

And whereas the said Power Company has agreed to supplement the terms of the said contract so assented to by undertaking additional obligations;

And whereas the said Municipal Council in consideration of the said Power Company entering into a contract undertaking the said additional obligations are favourable to finally passing the said By-law so assented to by the Municipal electors, and the said Power Company having agreed to enter into the said supplemental contract;

Be it therefore enacted by the Municipal Council of the Corporation of the City of Sault Ste. Marie as follows:

1. The Municipal Corporation of the City of Sault Ste. Marie shall forthwith enter into a supplemental contract with the Great Lakes Power Company, Limited, according to the form of contract attached hereto as Schedule "A," and forming part of this By-law.

2. The Mayor and Clerk of the said Municipal Corporation of the City of Sault Ste. Marie are hereby authorized and directed to execute a contract in accordance with the form of contract and embodying the terms and conditions set forth in Schedule "A" hereto, and to affix thereto the Corporate Seal of the said Municipal Corporation.

Read a First, Second and Third time, and finally passed in open Council this seventh day of February, 1928.

(Sgd.) T. J. IRWIN,
Mayor

(Sgd.) R. G. CAMPBELL,
Clerk.

(SEAL)

Schedule "A"

This indenture made in duplicate the 10th day of February, A.D. 1928.

BETWEEN:

THE GREAT LAKES POWER COMPANY, LIMITED, a Company incorporated under the laws of the Province of Ontario, hereinafter called the "Company,"

of the first part,

—and—

THE MUNICIPAL CORPORATION OF THE CITY OF SAULT STE. MARIE, hereinafter called the "Corporation,"

of the second part.

Whereas by offer dated the 1st day of December, A.D. 1927, the Company agreed to enter into a contract in accordance with a form of contract attached to the said offer as Schedule "A" thereto, hereinafter referred to as the "proposed contract," in consideration of and forthwith upon the submission of a By-law to and for the assent of the Municipal Electors of the said Corporation and the final passing of said By-law by the said Council after the said assent had been obtained from the Municipal Electors.

And whereas the said By-law with the "proposed contract" attached as Schedule thereto was duly submitted, and obtained the assent of the Municipal Electors at the Municipal Elections held at the City of Sault Ste. Marie, on January 2nd, 1928.

And whereas the Company has agreed to supplement the said "proposed contract" assented to as aforesaid by undertaking and assuming further and additional obligations supplemental and collateral to the terms and conditions of the said "proposed contract" and without in any way varying, amending or otherwise affecting the terms and conditions of the said "proposed contract," except by way of creating additional obligations on the part of the said Company to be performed as hereinafter set forth.

Now this indenture witnesseth that in consideration of the premises, the final passing by the Council of the By-law authorizing the execution of the "proposed contract," and the payment by the Corporation to the said Company of the sum of Ten ($10.00) Dollars of lawful money of Canada, the receipt whereof is hereby acknowledged, the said Company hereby covenants, undertakes and agrees as follows:

1. To generate or cause to be generated the whole of the second block of Five thousand (5,000) horse-power referred to in Paragraph one (1), Clause (*c*), of the said "proposed contract," on the Montreal or Michipicoten Rivers, or both of them, and to deliver the same from a plant or plants, to be constructed at an estimated cost of $2,500,000.00 on either or both of the said rivers, and from the development on either or both of the said rivers only, and from no other power development, and from the

first block of power developed on either of these sites, to make available for the said Corporation at least sufficient horse-power electrical energy to fulfil all the demands of the said Corporation properly made under Paragraph one (1), Clause (*c*), of the said "proposed contract," and to supply and deliver such amount of horse-power electrical energy to the said Corporation by a transmission line, of first-class construction capable of an ultimate capacity of Forty Thousand (40,000) horse-power, and to have available for industry in Sault Ste. Marie Five Thousand (5,000) additional horse-power electrical energy over and above the total horse-power electrical energy contracted to be delivered to the said Corporation under the said proposed contract.

The undertaking given by the Company in this paragraph is not to limit in any way the right of the said Corporation to demand from the said Company the supply of power to which it is entitled under the said proposed contract, regardless of where or how the said Company must obtain it to fulfil the terms of the said proposed contract, from any source of supply from which the said Company may obtain it, but it is intended as an additional obligation upon the Company to supply and deliver the said power from the sources of development described in this paragraph.

2. To forthwith, after the said "proposed contract" and this supplemental agreement has been entered into between the Parties hereto, commence preliminary work in connection with the development work described in Paragraph one (1) above, and to carry on the said work vigorously and continuously as far as practicable, and to build and complete the said plant or plants sufficiently to deliver the power which the said Corporation may demand under Paragraph one (1), Clause (*c*), of the said "proposed contract" and the said additional Five Thousand (5,000) horse-power agreed to be made available for industry over and above the amount provided for by the said "proposed contract," from the Montreal River or the Michipicoten River or both, on or before the First day of November, 1930, and to build and complete the said transmission line to the City of Sault Ste. Marie on or before the first Day of November, A.D. 1930, or such earlier date as the Corporation may be entitled to demand delivery of power as provided by Paragraph four (4) herein.

3. To construct or complete or cause to be constructed or completed on or before the First day of November, A.D. 1930, or such earlier date as the Corporation may be entitled to demand delivery of power as provided by Paragraph four (4) herein, a hydro-electric power plant or plants on the Montreal River or on the Michipicoten River, capable of developing at least Fifteen Thousand (15,000) horse-power of electrical energy, and to install or cause to be installed on or before the last-mentioned date the necessary machinery capable of developing at least Ten Thousand (10,000) horse-power of electrical energy.

4. Should the Corporation require and demand from the Company any of the blocks of power to which it is entitled under Paragraph One (1), Clause (*c*), of the said "proposed contract," at any date earlier than the said First day of November, A.D. 1930, to have such works and power ready for delivery therefrom at any earlier date at which the said Company is required to supply it, in pursuance of a demand made by the Corporation under the terms of the said "proposed contract."

5. In the event of the Corporation desiring to supply rural municipalities adjacent to its corporate limits with electrical energy for farm, house and other municipal purposes the Company will render to the Corporation every assistance in its power in so doing and will sell and deliver to the Corporation any electrical power the Corporation may require for sale and delivery to said municipalities for the purposes aforesaid. Any power delivered to the Corporation under the provisions of this paragraph shall not be deducted from or charged against any part of the Ten Thousand (10,000) horse-power to be delivered by the Company to the Corporation under the provisions of the said proposed contract and the Company will from time to time reserve, sell and deliver to the Corporation in excess of said Ten Thousand (10,000) horse-power provided for by said proposed contract any electrical energy so sold and delivered by the Corporation

to said rural municipalities. Any electrical energy sold and delivered by the Company to the Corporation for said rural municipalities under the provisions of this paragraph shall be paid for by the Corporation at the price, in the manner and upon the terms provided in said proposed agreement for the payment of power supplied by the Company to the Corporation thereunder.

6. The Company, as security for the due performance of the terms of this supplemental contract, has agreed to and hereby does deposit with the Treasurer of the said Corporation, Dominion of Canada Victory Loan Bonds (1934) of the face value of Twenty-five Thousand ($25,000.00) Dollars with interest coupons thereto attached, described in detail as follows: Twenty-five (25) 1934 Bonds, numbered as follows:

T445957,	T445958,	T43199,	T553232,	T543352,
T491846,	T173988,	T423016,	T161390,	T002221,
T128793,	T110381,	T140804,	T567906,	T404138,
T146907,	T012927,	T009628,	T560553,	T560554,
T003091,	T128792,	T567975,	T509341,	T162371.

The said Company covenants and agrees with the said Corporation that the said Treasurer is to hold and retain the said bonds until the undertakings, covenants and obligations of the said Company under Paragraphs One (1) to Four (4) above inclusive of this supplemental contract have been fully fulfilled, discharged and satisfied, in which event the said bonds are to be redelivered and surrendered by the said Treasurer to the said Company, and during the performance by the said Company of its obligations and undertakings under this supplemental contract and before any default has been made by it hereunder, the said interest coupons attached to said bonds shall from time to time as they become due and payable be detached by the said Treasurer and delivered to the said Company.

Should the said Company for any reason fail or neglect to carry out and fulfil any of the undertakings or obligations set forth in Paragraphs One (1), Two (2), Three (3), Four (4) above, or should the said Company fail or neglect to carry out or fulfil the obligations set forth in any of the said Paragraphs One (1) to Five (5) inclusive, then the said Company hereby covenants and agrees that the said Victory Loan Bonds of the par value of Twenty-five Thousand ($25,000.00) Dollars, together with any interest coupons for interest accruing since such default, shall be deemed to be transferred, surrendered and forfeited by the said Company to the said Corporation as liquidated damages payable to the said Corporation and not as a penalty, in which event the said Company covenants and agrees to do or casue to be done all necessary acts to fully transfer to and vest in the said Corporation the said Victory Loan Bonds with interest coupons attached as hereinbefore enumerated. For the purposes of this paragraph with reference to the redelivery of said bonds only, the Company shall be conclusively deemed to have performed all its contracts, undertakings and obligations under Paragraphs One (1) to Five (5) inclusive of this supplemental contract and to be entitled to the redelivery and surrender by the said Treasurer of said bonds when and so soon as the power plant or plants and transmission line and development works referred to in said paragraphs have been completed in the manner and to the extent mentioned in said paragraphs and the Company is ready and willing to deliver power to the Corporation pursuant thereto.

7. The Corporation hereby by its execution of this Agreement acknowledges receipt and accepts delivery of the said enumerated Victory Loan Bonds and undertakes to hold same subject to the terms and conditions hereinbefore set forth.

8. This Agreement shall be binding upon and enure to the benefit of the Parties hereto and their respective successors and assigns.

In witness whereof the Parties hereto have hereunto affixed their Corporate Seals attested by the signature of their respective proper Officers.

SIGNED, SEALED AND DELIVERED
In the presence of:

"A. E. PICKERING," as to execution by JNO. A. MCPHAIL.

"ETHEL HUGILL," as to execution by J. M. MCNEIL.

"H. S. HAMILTON," as to execution by T. J. IRWIN and R. G. CAMPBELL.

THE GREAT LAKES POWER COMPANY, LIMITED.

(SEAL) By "JNO. A. MCPHAIL,"
Vice-President.

By "J. M. MCNEIL,"
Assistant Secretary.

THE MUNICIPAL CORPORATION OF THE CITY OF SAULT STE. MARIE.

(SEAL) By "T. J. IRWIN,"
Mayor.

By "R. G. CAMPBELL,"
Clerk.

SCHEDULE 2.

1. By-law Number 1289, being a By-law to authorize the issue of debentures to raise the sum of Seven Hundred ($700.00) Dollars to pay for the cost of construction of private sewer connections on Wellington Street East, between the east side of Gore Street and the west side of Fauquier Avenue in the said City of Sault Ste. Marie.

2. By-law Number 1290, being a By-law to authorize the issue of debentures to raise the sum of Six Hundred ($600.00) Dollars to pay for the cost of the construction of a storm sewer on lane running west of East Street and north of the Post Office Building, which is erected on the corner of Queen Street and East Street in the City of Sault Ste. Marie.

3. By-law Number 1291, being a By-law to authorize the issue of debentures to raise the sum of Twenty-four Hundred ($2,400.00) Dollars to pay for the cost of construction of sanitary sewers on Hearst Street and Laurier Place as provided in Construction By-law Number 1262-A of the City of Sault Ste. Marie and on a lane running west of East Street and north of the Post Office Building, which is situated on the corner of East Street and Queen Street in the City of Sault Ste. Marie, as provided in Construction By-law Number 1284 of the City of Sault Ste. Marie, and that is the amount of the debt to be created.

4. By-law Number 1307, being a By-law to provide for the borrowing of the sum of Twenty-five Hundred ($2,500.00) Dollars on debentures for the purpose of paying for the cost of construction of a waterworks system for Greenwood Cemetery.

5. By-law Number 1321-A, being a By-law to provide for the borrowing of the sum of Twenty-five Hundred ($2,500.00) Dollars on debentures for the purpose of constructing a bridge over the Fort Creek on St. Andrews Terrace in the City of Sault Ste. Marie.

6. By-law Number 1330, being a By-law to provide for the borrowing of the sum of Fourteen Thousand Four Hundred ($14,400.00) Dollars on debentures for the purpose of paying the cost of construction of certain storm sewers in the City of Sault Ste. Marie.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act respecting the City of Sault Ste. Marie.

1st Reading

2nd Reading

3rd Reading

MR. LYONS.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 54. 1928.

BILL

An Act respecting the City of Sault Ste. Marie.

Preamble.

WHEREAS the municipal council of the corporation of the city of Sault Ste. Marie, hereinafter called the corporation, has, by petition, represented that by-laws numbers 1333 and 1340 were duly passed by the corporation and the contracts authorized thereby duly entered into with "The Great Lakes Power Company, Limited," and that it is desirable that the said by-laws and the contracts so entered into should be validated and confirmed, and also that the by-laws of the said corporation set forth in schedule "2" hereto should be validated and confirmed, and that all sales of land within the city of Sault Ste. Marie made subsequent to the 31st day of December, 1924, and prior to the 1st day of January, 1928, which purport to have been made by the said corporation for arrears of taxes in respect to the land so sold, for which tax deeds have been issued by the said corporation, be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of Sault Ste. Marie Act, 1928*.

By-laws Nos. 1333, 1340 and contracts with The Great Lakes Power Co. confirmed.

2. By-laws number 1333 and number 1340 of the corporation and the contracts with "The Great Lakes Power Company, Limited," authorized by said by-laws and set out in schedule "1" hereto, are confirmed and declared to be legal, valid and binding upon the corporation and the ratepayers thereof, and upon the said company.

Debenture by-laws in Schedule 2 confirmed.

3. The by-laws of the said corporation specified in schedule "2" hereto are hereby confirmed and declared to be legal, valid and binding upon the corporation and the ratepayers thereof.

Tax Sales and deeds confirmed.

4.—(1) All sales of land within the city of Sault Ste. Marie made subsequent to the 31st day of December, 1924, and

prior to the 1st day of January, 1928, which purport to have been made by the corporation of the said city for arrears of taxes in respect to lands so sold for which tax deeds have been issued by the said corporation, are hereby validated and confirmed, and all deeds of lands so sold executed by the mayor and treasurer of the said corporation on behalf of the said corporation, purporting to convey the said lands so sold to the purchaser thereof or his, her or their assigns are hereby validated and confirmed, and shall have the power of vesting the lands so sold or conveyed or purporting to be sold or conveyed and the same are hereby vested in the purchaser or his or her or their heirs and assigns in fee simple, free and clear of and from all title or interest whatsoever of the owner or owners thereof at the time of such sale, or his, her or their assigns, and all charges or encumbrances thereon, except taxes accrued since those for which non-payment whereof the said lands were sold.

Case of municipality as purchaser.

(2) Subsection 1 of this section shall extend and apply to cases where the said corporation or any person or persons in trust for it or in its behalf, became the purchaser of lands at any such tax sale.

Pending litigation not affected.

(3) Nothing in this section contained shall affect any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Case of right to develop power.

☞**5**. Nothing in this Act or in the agreements set out as schedules hereto shall be construed as conferring on The Great Lakes Power Company, Limited, the right to develop electrical power either at the Michipicoten River or at the Montreal River.☜

Commencement of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE 1.

BY-LAW NUMBER 1333 OF THE CITY OF SAULT STE. MARIE

A By-law to authorize the Municipal Corporation of the City of Sault Ste. Marie to enter into a contract with the Great Lakes Power Company, Limited, for a supply of electrical power.

Whereas it is deemed expedient to enter into a contract with the Great Lakes Power Company, Limited, for a supply of electrical power on the terms and conditions set forth in the form of contract hereto annexed as Schedule "A" and forming part of this By-law; and the liability to be created by this By-law and the said contract is fully set forth in the form of contract hereto annexed as Schedule "A."

And whereas the amount of the whole rateable property of the Municipality according to the last revised assessment roll is $22,771,851.00.

And whereas the amount of the debenture debt of the Corporation is $4,152,270.88, and no part of the principal or interest of said debenture debt is in arrear.

Be it therefore enacted, by the Municipal Council of the Corporation of the City of Sault Ste. Marie as follows:

1. The Municipal Corporation of the City of Sault Ste. Marie shall enter into a contract with the Great Lakes Power Company, Limited, according to the terms and conditions set forth and contained in the form of contract marked Schedule "A" attached to and forming part of this By-law.

2. The Mayor and the Clerk of the said Municipal Corporation of the City of Sault Ste. Marie are hereby authorized and directed to execute a contract for the said purpose and in accordance with the terms and conditions set forth in the form of contract hereto annexed as Schedule "A" and to affix thereto the Corporate Seal of the said Municipal Corporation.

3. That this By-law shall not come into force or have any effect unless and until it has been assented to by the Municipal electors as provided in The Consolidated Municipal Act, 1922, and has been finally passed by the Municipal Council of the said Municipal Corporation.

Read a first time this second day of December, A.D. 1927.

(Signed) R. G. CAMPBELL, *Clerk*.

Read a Second and Third time and, having been assented to by the Municipal electors, passed in open Council, this seventh day of February, A.D. 1928.

"T. J. IRWIN," *Mayor*.

"R. G. CAMPBELL," *Clerk*.

Schedule "A."

REFERRED TO IN AND FORMING PART OF THE ATTACHED BY-LAW NUMBER 1333, SIGNED "R. G. CAMPBELL," *City Clerk.*

This Indenture made in duplicate the Tenth day of February, in the year of our Lord, one thousand nine hundred and twenty-eight.

BETWEEN:

THE GREAT LAKES POWER COMPANY, LIMITED, a Corporation incorporated under the laws of the Province of Ontario, hereinafter called the "Company,"

of the first part,

—and—

THE MUNICIPAL CORPORATION OF THE CITY OF SAULT STE. MARIE, hereinafter called the "Corporation,"

of the second part.

Whereas the Company is now carrying on the business of producing and selling Hydro-Electric energy in the City of Sault Ste. Marie.

And whereas the Company is now under contract to supply and deliver to the said Corporation, electric energy to the extent of four thousand (4,000) horse-power.

And whereas the said Corporation desires to acquire and reserve additional Hydro-Electric energy.

Now therefore this indenture witnesseth that in consideration of the premises the parties hereto agree each with the other as follows:

1. The Company agrees:

(*a*) To continue to reserve and to supply and deliver to the Corporation the four thousand (4,000) horse-power hereinbefore referred to, at the rate of Twenty-two Dollars ($22.00) per horse-power per annum;

(*b*) To reserve, to supply and deliver to the Corporation one thousand (1,000) horse-power additional electric energy, within three (3) months from the execution of this agreement, the same to be delivered and to be paid for in amounts as and when used by the Corporation, at Twenty Dollars ($20.00) per horse-power per annum, for said one thousand (1,000) horse-power;

(*c*) To reserve to the Corporation further additional electric energy, to the extent of five thousand (5,000) horse-power, and to supply and deliver the same to the Corporation in blocks of not less than one thousand (1,000) horse-power each, the first of such blocks of electric energy to be supplied and delivered within fifteen (15) months of written demand made therefor by the Corporation, and any subsequent block within three (3) months of written demand as aforesaid, and the said five thousand (5,000) horse-power, or any portion thereof to be paid for at a rate to be agreed on between the Company and the Public Utilities Commission of the Corporation, and in case of disagreement the rate shall be arbitrated before and settled by the Hydro-Electric Power Commission, whose decision shall be final and binding on both parties hereto but in no case shall the said rate exceed twenty-two ($22.00) Dollars per horse-power per annum;

(*d*) 1. The Company agrees that for the purpose of carrying out the obligations undertaken for the supply and delivery of the entire block of five thousand (5,000) horse-power, or any part thereof, mentioned in clause (*c*) of paragraph 1 hereof, the Company will cause to be developed, either at the Michipicoten River or the Montreal River, a power development sufficient to furnish such power and to construct the necessary transmission lines to Sault Ste. Marie for the delivery of such power.

(*d*) 2. In addition to any other remedy the Corporation may have, time is to be considered as of the essence of the above paragraph 1, and in the event of the Company neglecting or refusing to carry out such undertaking the Corporation shall be at liberty to cancel this agreement, or this agreement in so far as it relates to the last five thousand (5,000) horse-power mentioned in clause (*c*) of paragraph 1 hereof;

(*e*) To use at all times, first class, modern, standard commercial apparatus and plant and to exercise all due diligence so as to secure the most perfect operation of the plant or plants and apparatus of the Company;

(*f*) To deliver commercially continuous twenty-four (24) hour power every day in the year, except as provided for herein, at the point of delivery herein defined as the city's sub-station within the city limits of the Corporation.

2. The Corporation agrees:

(*a*) Subject to the provisions of clause "B" hereof to pay to the Company monthly for all power taken by the Corporation at the rates hereinbefore specified;

Each month's payments are to be made as though the maximum amount taken during that month was taken for the whole month, save that Clause "B" hereof shall govern the minimum.

(*b*) For electric power supplied up to five thousand (5,000) horse-power, under clauses "A" and "B" of paragraph 1 hereof, the minimum amount of power to be paid for, whether used by the Corporation or not, shall be three-fourths of the greatest amount of power previously taken and used by the Corporation as measured under the terms of this agreement.

When additional electric energy is ordered or demanded by the Corporation, under clause "C" of paragraph 1 hereof, the minimum amount of power to be paid for, whether used by the Corporation or not, shall be three-fourths of the total amount of power demanded by the Corporation.

The said total power shall include the five thousand (5,000) horse-power referred to in clauses "A" and "B" of paragraph 1 hereof, together with such additional block or blocks of power that may be demanded by the Corporation under the provisions of clause "C" of paragraph 1 hereof, at such time or times as the said blocks, or either of them, are actually delivered or held in reserve by the Company, in pursuance of the terms of the demand or demands of the Corporation, or such earlier time or times as the Corporation may agree, in writing, to accept delivery of the said blocks and the Company agreeing to deliver the same.

(*c*) To use all diligence by every lawful means in its power to prepare for the receipt and use of the power covered by and demanded by the Corporation, under this agreement, so as to be able to receive power on the times of delivery as aforesaid provided.

(*d*) At all times to take and use the three-phase power in such a manner that the current will be equally taken from the three phases and in no case shall the difference between any two phases be greater than ten per cent. (10%).

(*e*) At all times to so take and use the three-phase power that the ratio of the kilowatts to the kilovolt-amperes is a maximum, but in any event the customer shall pay for at least ninety per cent. (90%) of the maximum kilovolt-amperes considered as true power of kilowatts. The maximum demand in kilovolt-amperes or kilowatts shall be taken as the maximum average or integrated demand over any twenty consecutive minutes.

One horse-power is defined as 0.746 kilowatts.

One kilowatt is defined as the product of the instantaneous current

voltage and power-factor of the load as shown by a standard polyphase wattmeter and divided by one thousand.

One kilovolt-ampere is defined as the product of the simultaneous average current per phase times the average voltage between phases, times 1,732 and divided by one thousand.

For the purposes of this agreement, the kilovolt-amperes may be determined either directly by current and voltage measurements or by the kilowatts divided by the power factor or by any other commercially accurate means as may be approved by the Company.

The power factor is defined as kilowatts divided by kilovolt-amperes.

(*f*) To take electric energy exclusively from the Company during the continuance of this agreement, or any renewal thereof, until such time as the Corporation requires Hydro-Electric energy in excess of the amount provided for in this agreement.

(*g*) Bills shall be rendered by the Company to the Corporation on or before the tenth day and paid by the Corporation on or before the twentieth day of each calendar month.

If any bill remains unpaid for fifteen (15) days after the date thereof the Company may, in addition to all other remedies, and without notice, discontinue the supply of power to the Corporation until the said bill is paid, and no such discontinuance by the Company shall relieve the Corporation from the performance of the covenants, provisoes and conditions herein contained.

All payments in arrears shall bear interest at the legal rate.

(*h*) To use at all times modern, standard, commercial apparatus and plant to be approved by the Company from time to time, which approval shall not unreasonably be withheld, and to so operate and conduct the plant and apparatus as to cause minimum disturbances or fluctuations to the Company's supply, and to exercise all due skill and diligence so as to secure the satisfactory operation of the plant and apparatus of both the Company and the Corporation.

(*i*) Should it be expedient or necessary for the Company in order to deliver power hereunder, to construct or build poles, lines, cables, transformers, switches, or other appliances or devices on, over or through the property of the Corporation, the Corporation hereby agrees to supply and arrange for such necessary rights-of-way free of cost, and satisfactory to the Company, for the life of this agreement, or renewals thereof and for thirty (30) days thereafter, so that the Company may build, erect, construct, operate, repair, maintain and remove any of said apparatus or devices belonging to the Company.

(*j*) The power delivered hereunder shall be alternating three-phase, having a periodicity of approximately sixty cycles per second, and a voltage of approximately 2,300 volts between phase wires, subject to normal variations in both frequency and voltage.

(*k*) Any demands for blocks of power mentioned in clause "*c*" of paragraph 1 hereof shall be made *bona fide* and in good faith, and for use that it has reasonably in contemplation.

It is mutually agreed as follows:

3. (*a*) Measurement of the power held in reserve or taken by the Corporation hereunder shall be made by means of a standard polyphase Graphic Recording Wattmeter, and other meters as required, so arranged as to accurately measure and record the power taken by the Corporation.

The greatest average or integrated power demand made by the Corporation for twenty (20) consecutive minutes in any month, as shown by the aforementioned instruments, shall be used as the basis of billing and paying for the power taken by the Corporation hereunder.

Provided, however, that the billing contemplated in this paragraph shall not be less than the payments for power contemplated in clause "*b*" of paragraph 2 hereof.

(*b*) The point of measuring the power covered by this agreement shall be as near as possible to the point of delivery, and the instruments, with the necessary current and potential transformers for the measurement of power hereunder, shall be provided, installed and maintained correct by the Company.

(*c*) Whenever the said measuring instruments are connected at other than the point of delivery their reading shall be subject to a correction and shall be corrected to give a reading such as would be obtained by instruments connected at the point of delivery. Such corrections shall be based upon tests or calculations by the Company.

(*d*) Should the point of measurement be located on the premises of the Corporation no rental charge shall be made to the Company for the location of said instruments or transformers on the Corporation's premises.

(*e*) Access to said instruments and transformers belonging to the Company shall be free to the Company at any and all times and the Company may test, calibrate or remove said measuring instruments and transformers at any reasonable time, but when possible the Corporation shall be advised at least seven (7) days in advance of the Company's intention to re-calibrate, remove or change the measuring instruments.

(*f*) The Corporation shall have the right to test any such measuring instruments, in the presence of a representative of the Company, by giving to the Company seven days' previous notice in writing of its desire to test such measuring instruments.

(*g*) The Company shall repair or replace and re-test defective meters or measuring equipment within a reasonable time, but, during the time there is no meter in service it shall be assumed that the power consumed is the same as for the other days of the same month on which a similar load existed.

(*h*) The Corporation shall be responsible for any damage to the property or apparatus furnished by the Company for the purpose of supplying or measuring power hereunder and installed on the Corporation's property, providing such damage originates from a source external to the said apparatus of the Company, and is not due to defects in the apparatus of the Company, but not to include damage caused by lightning.

4 (*a*). The maintenance by the Company of approximately the agreed voltage at approximately the agreed frequency at the point of delivery shall constitute the supply of power involved herein and a fulfilment of all the operating obligations hereunder, and when the voltage and the frequency are so maintained the amount of power, its fluctuations, load factor, power factor, distribution as to phases, and all other characteristics and qualities are under the sole control of the Corporation, its agents, apparatus, appliances and circuits.

(*b*) In case the supply of power be interrupted and the Company shall at any time or times be so prevented from delivering said power or any part thereof, or the Corporation be prevented from taking such power, by strikes, lockouts, riot, fire, lightning, invasion, explosion, act of God, or of the King's enemies, act of any Governmental body, or by reason of any other cause or causes reasonably beyond its control, then the Company shall not be bound to deliver such power during such time and the Corporation shall not be bound to pay for such power during such time.

(*c*) The Company shall be prompt and diligent in removing the cause of such interruption, but the Corporation shall not be bound to pay for such power during such time. As soon as the cause of such interruption is removed the Company shall, without any delay, deliver the said power as aforesaid, and the Corporation shall take and use the same.

(*d*) It is further agreed hereby that the Company shall have the right

at reasonable times, and when possible after due notice has been given to the Corporation to discontinue the supply of power to the Corporation for the purpose of safeguarding life or property, or for the purpose of making repairs, renewals, or replacements to the lines or apparatus of the Company, but all such interruptions shall be of a minimum duration and when possible arranged for at a time least objectionable to the Corporation.

Such interruptions shall not release the Corporation from its obligations to pay for or resume the use of power when service is restored.

(*e*) If, and so often, as any interruption shall occur in the electric power service of the Company to the Corporation, in connection with its domestic use, due to any cause or causes, other than those provided for under section 4(*b*) and (*d*) hereof, the Company shall pay to the Corporation, as liquidated and ascertained damages, and not by way of penalty, an amount equal to double the amount payable by the Corporation for power which should have been supplied during the time of such interruption.

5. A representative or engineer of the Company appointed for this purpose may, at any reasonable time during the continuance of this agreement, have access to the premises of the Corporation for the purpose of inspecting the electrical apparatus, plant or property of the Corporation and to take records therefrom as required, and the Corporation shall have a similar right in respect to the premises of the Company.

6. It is further understood and agreed between the parties hereto that the Company will not sell power to any new customer in amounts less than four hundred (400) horse-power, except with the consent of the Public Utilities Commission of the City of Sault Ste. Marie and in no case will the Company sell to other customers electric energy for domestic or commercial lighting or water purposes, save when power is sold to industrial institutions who make use of part of the said power for its own lighting service.

7. In the event of disagreement between the Company and the Corporation, as to the meaning of this agreement, or any clause thereof, or carrying out the terms of this agreement, the same shall be adjusted and settled by arbitration, and shall be subject to The Ontario Arbitration Act and amendments thereto.

10. It is further understood and agreed that contracts between the Algoma Steel Corporation and the Corporation of the City of Sault Ste. Marie, dated the 2nd day of October, 1914, and the assignment thereof to the Great Lakes Power Company, Limited, and contract between the Great Lakes Power Company, Limited, and the Corporation of the Town of Steelton, bearing date the 1st day of September, 1916, are hereby cancelled and this agreement shall constitute the sole and only contract dealing with the supply of electric energy between the parties hereto.

This clause shall not be operative until, as and when this contract has been executed by the parties hereto in pursuance of the necessary enabling by-law being actually passed by the Corporation, and the terms of this contract shall be applicable to the original block of four thousand (4,000) horse-power as well as the additional blocks hereinbefore referred to.

11. The Company shall be entitled at the termination of this agreement or any extension thereof, or within thirty (30) days thereafter, to remove from the Corporation's premises any and all plant or equipment which may have been installed by the Company for the supply or measurement of power hereunder.

12. This contract shall be and remain in full force and effect for a period of ten (10) years from the date hereof and at the expiration of the said ten (10) years the Corporation shall have the right to renew the said contract on the same terms and conditions, for a further period of ten (10) years and on the expiration of the said renewal then for further renewals of ten (10) years each up to and including a third renewal so as to make the term of this contract, with renewals, optional to the Corporation, a period of forty (40) years, and in so far as this contract refers to and deals with

the blocks of power referred to in clauses "*a*" and "*b*" in paragraph 1 hereof, the Corporation shall have the right beyond the said forty (40) year period for such further renewal periods of ten (10) years each as the Corporation, at its option, may decide to enter into. In case of any renewal the Corporation shall give the Company six (6) months' notice in writing of its intention so to do.

This agreement shall be binding upon and enure to the benefit of the parties hereto and the successors and assigns of the parties hereto.

It witness whereof the parties hereto have hereunto set their Corporate Seals, attested by the signatures of the proper officers respectively:

SIGNED, SEALED AND DELIVERED
in the presence of:

THE GREAT LAKES POWER COMPANY, LIMITED,

By "JNO. A. MCPHAIL,"
Vice-President.

"A. E. PICKERING" as to execution by JNO. A. MCPHAIL.

(SEAL)

"ETHEL HUGILL" as to execution by J. M. MCNEIL.

By "J. M. MCNEIL,"
Assistant Secretary.

THE MUNICIPAL CORPORATION OF THE CITY OF SAULT STE. MARIE,

"H. S. HAMILTON," as to execution by T. J. IRWIN and R. G. CAMPBELL.

By "T. J. IRWIN,"
Mayor.

By "R. G. CAMPBELL,"
(SEAL) *Clerk.*

BY-LAW NUMBER 1340 OF THE CITY OF SAULT STE. MARIE

A By-law to authorize the Municipal Corporation of the City of Sault Ste. Marie to enter into a Supplemental Contract with the Great Lakes Power Company, Limited, for the better securing the carrying out of a contract by the said Great Lakes Power Company, Limited, for a supply of electrical power to the said Municipal Corporation.

Whereas a By-law was submitted for and obtained the assent of the Municipal Electors of the said City of Sault Ste. Marie at the Municipal Elections held on the second day of January, 1928, authorizing the Municipal Corporation of the said City to enter into a contract with the Great Lakes Power Company, Limited, for a supply of electrical power on the terms and conditions set forth in a form of contract attached to and forming part of said By-law;

And whereas the said Power Company has agreed to supplement the terms of the said contract so assented to by undertaking additional obligations;

And whereas the said Municipal Council in consideration of the said Power Company entering into a contract undertaking the said additional obligations are favourable to finally passing the said By-law so assented to by the Municipal electors, and the said Power Company having agreed to enter into the said supplemental contract;

Be it therefore enacted by the Municipal Council of the Corporation of the City of Sault Ste. Marie as follows:

1. The Municipal Corporation of the City of Sault Ste. Marie shall forthwith enter into a supplemental contract with the Great Lakes Power Company, Limited, according to the form of contract attached hereto as Schedule "A," and forming part of this By-law.

2. The Mayor and Clerk of the said Municipal Corporation of the City of Sault Ste. Marie are hereby authorized and directed to execute a contract in accordance with the form of contract and embodying the terms and conditions set forth in Schedule "A" hereto, and to affix thereto the Corporate Seal of the said Municipal Corporation.

Read a First, Second and Third time, and finally passed in open Council this seventh day of February, 1928.

(Sgd.) T. J. IRWIN,
Mayor

(Sgd.) R. G. CAMPBELL,
Clerk.

(SEAL)

Schedule "A"

This indenture made in duplicate the 10th day of February, A.D. 1928.

BETWEEN:

THE GREAT LAKES POWER COMPANY, LIMITED, a Company incorporated under the laws of the Province of Ontario, hereinafter called the "Company,"
of the first part,

—and—

THE MUNICIPAL CORPORATION OF THE CITY OF SAULT STE. MARIE, hereinafter called the "Corporation,"
of the second part.

Whereas by offer dated the 1st day of December, A.D. 1927, the Company agreed to enter into a contract in accordance with a form of contract attached to the said offer as Schedule "A" thereto, hereinafter referred to as the "proposed contract," in consideration of and forthwith upon the submission of a By-law to and for the assent of the Municipal Electors of the said Corporation and the final passing of said By-law by the said Council after the said assent had been obtained from the Municipal Electors.

And whereas the said By-law with the "proposed contract" attached as Schedule thereto was duly submitted, and obtained the assent of the Municipal Electors at the Municipal Elections held at the City of Sault Ste. Marie, on January 2nd, 1928.

And whereas the Company has agreed to supplement the said "proposed contract" assented to as aforesaid by undertaking and assuming further and additional obligations supplemental and collateral to the terms and conditions of the said "proposed contract" and without in any way varying, amending or otherwise affecting the terms and conditions of the said "proposed contract," except by way of creating additional obligations on the part of the said Company to be performed as hereinafter set forth.

Now this indenture witnesseth that in consideration of the premises, the final passing by the Council of the By-law authorizing the execution of the "proposed contract," and the payment by the Corporation to the said Company of the sum of Ten ($10.00) Dollars of lawful money of Canada, the receipt whereof is hereby acknowledged, the said Company hereby covenants, undertakes and agrees as follows:

1. To generate or cause to be generated the whole of the second block of Five thousand (5,000) horse-power referred to in Paragraph one (1), Clause (*c*), of the said "proposed contract," on the Montreal or Michipicoten Rivers, or both of them, and to deliver the same from a plant or plants, to be constructed at an estimated cost of $2,500,000.00 on either or both of the said rivers, and from the development on either or both of the said rivers only, and from no other power development, and from the

first block of power developed on either of these sites, to make available for the said Corporation at least sufficient horse-power electrical energy to fulfil all the demands of the said Corporation properly made under Paragraph one (1), Clause (*c*), of the said "proposed contract," and to supply and deliver such amount of horse-power electrical energy to the said Corporation by a transmission line, of first-class construction capable of an ultimate capacity of Forty Thousand (40,000) horse-power, and to have available for industry in Sault Ste. Marie Five Thousand (5,000) additional horse-power electrical energy over and above the total horse-power electrical energy contracted to be delivered to the said Corporation under the said proposed contract.

The undertaking given by the Company in this paragraph is not to limit in any way the right of the said Corporation to demand from the said Company the supply of power to which it is entitled under the said proposed contract, regardless of where or how the said Company must obtain it to fulfil the terms of the said proposed contract, from any source of supply from which the said Company may obtain it, but it is intended as an additional obligation upon the Company to supply and deliver the said power from the sources of development described in this paragraph.

2. To forthwith, after the said "proposed contract" and this supplemental agreement has been entered into between the Parties hereto, commence preliminary work in connection with the development work described in Paragraph one (1) above, and to carry on the said work vigorously and continuously as far as practicable, and to build and complete the said plant or plants sufficiently to deliver the power which the said Corporation may demand under Paragraph one (1), Clause (*c*), of the said "proposed contract" and the said additional Five Thousand (5,000) horse-power agreed to be made available for industry over and above the amount provided for by the said "proposed contract," from the Montreal River or the Michipicoten River or both, on or before the First day of November, 1930, and to build and complete the said transmission line to the City of Sault Ste. Marie on or before the first Day of November, A.D. 1930, or such earlier date as the Corporation may be entitled to demand delivery of power as provided by Paragraph four (4) herein.

3. To construct or complete or cause to be constructed or completed on or before the First day of November, A.D. 1930, or such earlier date as the Corporation may be entitled to demand delivery of power as provided by Paragraph four (4) herein, a hydro-electric power plant or plants on the Montreal River or on the Michipicoten River, capable of developing at least Fifteen Thousand (15,000) horse-power of electrical energy, and to install or cause to be installed on or before the last-mentioned date the necessary machinery capable of developing at least Ten Thousand (10,000) horse-power of electrical energy.

4. Should the Corporation require and demand from the Company any of the blocks of power to which it is entitled under Paragraph One (1), Clause (*c*), of the said "proposed contract," at any date earlier than the said First day of November, A.D. 1930, to have such works and power ready for delivery therefrom at any earlier date at which the said Company is required to supply it, in pursuance of a demand made by the Corporation under the terms of the said "proposed contract."

5. In the event of the Corporation desiring to supply rural municipalities adjacent to its corporate limits with electrical energy for farm, house and other municipal purposes the Company will render to the Corporation every assistance in its power in so doing and will sell and deliver to the Corporation any electrical power the Corporation may require for sale and delivery to said municipalities for the purposes aforesaid. Any power delivered to the Corporation under the provisions of this paragraph shall not be deducted from or charged against any part of the Ten Thousand (10,000) horse-power to be delivered by the Company to the Corporation under the provisions of the said proposed contract and the Company will from time to time reserve, sell and deliver to the Corporation in excess of said Ten Thousand (10,000) horse-power provided for by said proposed contract any electrical energy so sold and delivered by the Corporation

to said rural municipalities. Any electrical energy sold and delivered by the Company to the Corporation for said rural municipalities under the provisions of this paragraph shall be paid for by the Corporation at the price, in the manner and upon the terms provided in said proposed agreement for the payment of power supplied by the Company to the Corporation thereunder.

6. The Company, as security for the due performance of the terms of this supplemental contract, has agreed to and hereby does deposit with the Treasurer of the said Corporation, Dominion of Canada Victory Loan Bonds (1934) of the face value of Twenty-five Thousand ($25,000.00) Dollars with interest coupons thereto attached, described in detail as follows: Twenty-five (25) 1934 Bonds, numbered as follows:

T445957,	T445958,	T43199,	T553232,	T543352,
T491846,	T173988,	T423016,	T161390,	T002221,
T128793,	T110381,	T140804,	T567906,	T404138,
T146907,	T012927,	T009628,	T560553,	T560554,
T003091,	T128792,	T567975,	T509341,	T162371.

The said Company covenants and agrees with the said Corporation that the said Treasurer is to hold and retain the said bonds until the undertakings, covenants and obligations of the said Company under Paragraphs One (1) to Four (4) above inclusive of this supplemental contract have been fully fulfilled, discharged and satisfied, in which event the said bonds are to be redelivered and surrendered by the said Treasurer to the said Company, and during the performance by the said Company of its obligations and undertakings under this supplemental contract and before any default has been made by it hereunder, the said interest coupons attached to said bonds shall from time to time as they become due and payable be detached by the said Treasurer and delivered to the said Company.

Should the said Company for any reason fail or neglect to carry out and fulfil any of the undertakings or obligations set forth in Paragraphs One (1), Two (2), Three (3), Four (4) above, or should the said Company fail or neglect to carry out or fulfil the obligations set forth in any of the said Paragraphs One (1) to Five (5) inclusive, then the said Company hereby covenants and agrees that the said Victory Loan Bonds of the par value of Twenty-five Thousand ($25,000.00) Dollars, together with any interest coupons for interest accruing since such default, shall be deemed to be transferred, surrendered and forfeited by the said Company to the said Corporation as liquidated damages payable to the said Corporation and not as a penalty, in which event the said Company covenants and agrees to do or casue to be done all necessary acts to fully transfer to and vest in the said Corporation the said Victory Loan Bonds with interest coupons attached as hereinbefore enumerated. For the purposes of this paragraph with reference to the redelivery of said bonds only, the Company shall be conclusively deemed to have performed all its contracts, undertakings and obligations under Paragraphs One (1) to Five (5) inclusive of this supplemental contract and to be entitled to the redelivery and surrender by the said Treasurer of said bonds when and so soon as the power plant or plants and transmission line and development works referred to in said paragraphs have been completed in the manner and to the extent mentioned in said paragraphs and the Company is ready and willing to deliver power to the Corporation pursuant thereto.

7. The Corporation hereby by its execution of this Agreement acknowledges receipt and accepts delivery of the said enumerated Victory Loan Bonds and undertakes to hold same subject to the terms and conditions hereinbefore set forth.

8. This Agreement shall be binding upon and enure to the benefit of the Parties hereto and their respective successors and assigns.

In witness whereof the Parties hereto have hereunto affixed their Corporate Seals attested by the signature of their respective proper Officers.

SIGNED, SEALED AND DELIVERED In the presence of:	THE GREAT LAKES POWER COMPANY, LIMITED.
'A. E. PICKERING," as to execution by JNO. A. MCPHAIL.	By "JNO. A. MCPHAIL," (SEAL) *Vice-President.*
"ETHEL HUGILL," as to execution by J. M. MCNEIL.	By "J. M. MCNEIL," *Assistant Secretary.*
	THE MUNICIPAL CORPORATION OF THE CITY OF SAULT STE. MARIE.
"H. S. HAMILTON," as to execution by T. J. IRWIN and R. G. CAMPBELL.	By "T. J. IRWIN," (SEAL) *Mayor.* By "R. G. CAMPBELL," *Clerk.*

SCHEDULE 2.

1. By-law Number 1289, being a By-law to authorize the issue of debentures to raise the sum of Seven Hundred ($700.00) Dollars to pay for the cost of construction of private sewer connections on Wellington Street East, between the east side of Gore Street and the west side of Fauquier Avenue in the said City of Sault Ste. Marie.

2. By-law Number 1290, being a By-law to authorize the issue of debentures to raise the sum of Six Hundred ($600.00) Dollars to pay for the cost of the construction of a storm sewer on lane running west of East Street and north of the Post Office Building, which is erected on the corner of Queen Street and East Street in the City of Sault Ste. Marie.

3. By-law Number 1291, being a By-law to authorize the issue of debentures to raise the sum of Twenty-four Hundred ($2,400.00) Dollars to pay for the cost of construction of sanitary sewers on Hearst Street and Laurier Place as provided in Construction By-law Number 1262-A of the City of Sault Ste. Marie and on a lane running west of East Street and north of the Post Office Building, which is situated on the corner of East Street and Queen Street in the City of Sault Ste. Marie, as provided in Construction By-law Number 1284 of the City of Sault Ste. Marie, and that is the amount of the debt to be created.

4. By-law Number 1307, being a By-law to provide for the borrowing of the sum of Twenty-five Hundred ($2,500.00) Dollars on debentures for the purpose of paying for the cost of construction of a waterworks system for Greenwood Cemetery.

5. By-law Number 1321-A, being a By-law to provide for the borrowing of the sum of Twenty-five Hundred ($2,500.00) Dollars on debentures for the purpose of constructing a bridge over the Fort Creek on St. Andrews Terrace in the City of Sault Ste. Marie.

6. By-law Number 1330, being a By-law to provide for the borrowing of the sum of Fourteen Thousand Four Hundred ($14,400.00) Dollars on debentures for the purpose of paying the cost of construction of certain storm sewers in the City of Sault Ste. Marie.

Ontario.
18 George V, 1928.

BILL.

An Act respecting the City of Sault Ste. Marie.

1st Reading

February 23rd, 1928.

2nd Reading

3rd Reading

MR. LYONS.

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty

No. 55. 1928.

BILL

An Act respecting the Town of LaSalle.

Preamble.

WHEREAS the municipal corporation of the town of LaSalle has by its petition represented that the said town was incorporated by *The Town of LaSalle Act, 1924*, and the westerly limit of the said town was defined by section 3 of the said Act as the harbour line of the Detroit river, and that it is desirable that the said harbour line be defined; and whereas the said corporation has by its petition prayed that an Act may be passed for such purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of LaSalle Act, 1928*.

1924, c. 103, s. 3, amended.

2. Section 3 of *The Town of LaSalle Act, 1924*, is amended by adding thereto the following clause:

(*a*) Until such time as the harbour line shall have been laid out and defined under the authority of the Honourable the Minister of Public Works of the Dominion of Canada, or such other person as may be duly authorized for the said purpose the words "Harbour Line" in this section shall mean the line of the contour of the bed of the Detroit river at a depth of twenty-one feet of water from the established datum of 572.40 feet above mean tide Atlantic.

Ontario.
18 George V, 1928.

BILL.

An Act respecting the Town of LaSalle.

1st Reading

2nd Reading

3rd Reading

MR. POISSON.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 55. 1928.

BILL

An Act respecting the Town of LaSalle.

Preamble.

WHEREAS the municipal corporation of the town of LaSalle has by its petition represented that the said town was incorporated by *The Town of LaSalle Act, 1924*, and the westerly limit of the said town was defined by section 3 of the said Act as the harbour line of the Detroit river, and that it is desirable that the said harbour line be defined; and whereas the said corporation has by its petition prayed that an Act may be passed for such purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of LaSalle Act, 1928*.

1924, c. 103, s. 3, amended.

2. Section 3 of *The Town of LaSalle Act, 1924*, is amended by adding thereto the following clause:

(*a*) The words "Harbour Line" in this section shall mean the line of the contour of the bed of the Detroit river at a depth of twenty-one feet of water from the established datum of 572.40 feet above mean tide Atlantic.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

An Act respecting the Town of LaSalle.

1st Reading

February 29th, 1928

2nd Reading

3rd Reading

MR. POISSON.

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 56. 1928.

BILL

An Act to amend The Church of England Trust Fund Act, 1927.

Preamble.

WHEREAS the General Synod of the Church of England in Canada and the Missionary Society of the Church of England in Canada have by petition represented that by *The Church of England Trust Fund Act, 1927*, they were authorized and empowered to consolidate, manage and invest the trust funds under the contro' of the said petitioners or either of them as one general trust fund as in said Act set out; and whereas the said petitioners have prayed that the said Act may be amended as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows;—

Short title.

1. This Act may be cited as *The Church of England Trust Fund Act, 1928*.

1927, c. 145, amended.

2. *The Church of England Trust Fund Act, 1927*, is amended by adding thereto the following section:

6. The General Synod of the Church of England in Canada and the Missionary Society of the Church of England in Canada, and each of them may declare and enact by canon or by by-law that the joint committee of the said two corporations may receive and hold for investment any trust funds or any other securities or moneys vested in or held by any department, board, council or committee of the General Synod or vested in or held by any Provincial or Diocesan Synod in the Dominion of Canada or any board or committee thereof, which trust funds or other securities or moneys when received shall form part of the said general trust fund, on such terms as the joint committee of the said two corporations shall decide.

Powers of joint committee.

3. To remove doubts it is hereby declared that by the said *The Church of England Trust Fund Act, 1927*, the joint committee of the said two corporations referred to therein were and are authorized and empowered:

To determine amount of interest earned.

(*a*) To determine, fix and declare each year the amount of interest and profits earned or deemed to be earned and to be credited and the dividends which shall be paid, on the securities of the said general trust fund.

To deduct amount of default or depreciation from total interest or profits.

(*b*) In the event at any time of any default in payment of the principal or the interest on any security, or if at any time in the opinion of the joint committee of the said two corporations there has been a depreciation in the value of any security to deduct from time to time the amount of such default or depreciation from the total of the interest and profits of that year or to direct that it be spread over a period of years.

To borrow money and pledge securities.

(*c*) Should it be deemed desirable or necessary by the General Synod of the Church of England in Canada and the Missionary Society of the Church of England in Canada or either of them from time to time to borrow money, and for this purpose to pledge securities; to assign, convey and deposit with the lender as security for such loan or loans, such securities belonging to the said general trust fund on such terms as in their opinion may be deemed advisable or necessary.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Church of England Trust Fund Act, 1927.

1st Reading

2nd Reading

3rd Reading

MR. THOMPSON (St. Davids).

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 57. 1928.

BILL

An Act to incorporate The Kenora and Red Lake Railway Company.

Preamble.

WHEREAS the Kenora Paper Mills, Limited, have by their petition prayed that their board of directors be granted incorporation, and be constituted a body corporate and politic under the name of The Kenora and Red Lake Railway Company; and whereas their said board of directors is composed as follows: Edward Wellington Backus, Seymour Wellington Backus, William Frederick Brooks, of the city of Minneapolis, in the state of Minnesota, one of the United States of America; George McLean, of the town of Fort Frances, in the district of Rainy River, and Donald McLeod, of the town of Kenora, in the district of Kenora, all manufacturers; and whereas the purpose of the said Act of Incorporation is to empower the said persons to construct, maintain and operate by steam or electricity a standard gauge railway on the route hereinafter described; and whereas it has been represented that the construction of the said railway would open up new and undeveloped portions of the Province of Ontario; and numerous resolutions of public bodies in Northwestern Ontario have been passed, having for their object the promotion of the construction of the said railway; and whereas the mining interests of the Red Lake mining district have represented that a railway should be constructed in order to promote and facilitate their operations; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Incorporation.

1. The said Edward Wellington Backus, Seymour Wellington Backus, William Frederick Brooks, George McLean and Donald McLeod, and such other persons and corporations as shall hereafter become shareholders of the said company are hereby constituted a body corporate and politic under the name of "The Kenora and Red Lake Railway Company," hereinafter called "the Company."

Location of line.

2. The company is authorized and empowered to survey, lay out, construct, complete, equip and maintain a standard gauge railway to be operated by steam or electricity, from a point at or near the town of Kenora, thence in a northeasterly direction crossing the National Transcontinental Railway, and the English River, to a point or points at or near the mining properties adjacent to Red Lake, Woman Lake, and Narrow Lake in the Patricia portion of the district of Kenora, with power to construct extensions and branches at different points along the road as may be deemed advisable.

Provisional directors.

3. The said Edward Wellington Backus, Seymour W. Backus, William F. Brooks, George McLean and Donald McLeod, shall be the provisional directors of the company.

Capital stock.

4. The capital stock of the company hereby incorporated shall be five million dollars ($5,000,000).

Bonding powers.

5. The company may issue bonds, debentures, or other securities to the extent of not more than one hundred thousand dollars ($100,000) per mile of railway constructed or under contract to be constructed.

Head office.

6. The head office of the company shall be at the town of Kenora in the district of Kenora.

Construction of railway over Crown lands, etc.

7. The company may, under and subject to such terms and conditions as may be fixed by the Lieutenant-Governor in Council lay down and construct its railway on, along and over any Crown lands and lands over which the Crown has power to grant such right, and also along, over and across any highway or allowance for road in unorganized territory, and along, over and across any highways in any organized municipality and over which the Crown has jurisdiction.

Right to cut timber on Crown lands.

8. The company may, under and subject to such terms and conditions as may be fixed by the Lieutenant-Governor in Council cut down and use from any Crown lands through or along which the railway is being constructed such timber as may be necessary in the construction of the railway and may take and use such rock and gravel as may be necessary for ballasting purposes.

Development and sale of electrical power.

9. The company may acquire by lease or purchase water power sites along or near the said line of railway for the purpose of its operations and may construct and operate power plants and transmission lines to its line of railway, and may sell and dispose of all surplus electrical power to municipalities, corporations and persons subject to such

terms, conditions and prices for power as may be fixed by the Lieutenant-Governor in Council.

Time for commencement and completion.

10. Forthwith after the passing of this Act the necessary surveys shall be made, and the work of actual construction of the railroad shall commence within two years and be completed within five years from the passing of this Act.

Application of provisions of Rev. Stat., c. 224.

11. The provisions of *The Railway Act*, except where inconsistent with the provisions of this Act, shall apply to the company and the railway to be constructed by it.

Commencement of Act.

12. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

An Act to incorporate The Kenora and Red Lake Railway Company.

1st Reading

2nd Reading

3rd Reading

MR. EARNGEY.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 57. 1928.

BILL

An Act to incorporate The Kenora and Red Lake Railway Company.

Preamble.

WHEREAS the Kenora Paper Mills, Limited, have by their petition represented that numerous requests by way of resolutions have been made to your petitioner by the council and board of trade of the town of Kenora, and by boards of directors of various companies operating in the Red Lake mining district to construct a railway from a point at or near the town of Kenora, thence in a northeasterly direction crossing the National Transcontinental Railway and the English River to a point at or near the mining properties adjacent to Red Lake, Woman Lake and Narrow Lake in the Patricia portion of the district of Kenora; and whereas the construction of such a railway is essential to the proper development of northwestern Ontario forming as it will a connecting link between the Patricia portion of the district of Kenora and the National Transcontinental Railway and the Canadian Pacific Railway and also with the town of Kenora; and whereas your petitioner has prayed that Edward Wellington Backus, Seymour Wellington Backus, William Frederick Brooks, of the city of Minneapolis, in the State of Minnesota, one of the United States of America; George McLean, of the town of Fort Frances, in the district of Rainy River, and Donald McLeod of the town of Kenora, all manufacturers and the directors of your petitioner, be incorporated under the name of "The Kenora and Red Lake Railway Company" for the purpose of constructing and operating a railway as hereinafter set out; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Incorporation

1. The said Edward Wellington Backus, Seymour Wellington Backus, William Frederick Brooks, George McLean and Donald McLeod, and such other persons and corporations as shall hereafter become shareholders of the said company

are hereby constituted a body corporate and politic under the name of "The Kenora and Red Lake Railway Company," hereinafter called "the Company."

Location of line.

2. The company is authorized and empowered to survey, lay out, construct, complete, equip and maintain a standard gauge railway to be operated by steam or electricity, from a point at or near the town of Kenora, thence in a northeasterly direction crossing the National Transcontinental Railway, and the English River, to a point or points at or near the mining properties adjacent to Red Lake, Woman Lake, and Narrow Lake in the Patricia portion of the district of Kenora, with power to construct extensions and branches at different points along the road as may be deemed advisable.

Provisional directors.

3. The said Edward Wellington Backus, Seymour W. Backus, William F. Brooks, George McLean and Donald McLeod, shall be the provisional directors of the company.

Capital stock.

4. The capital stock of the company hereby incorporated shall be *one hundred thousand (100,000) shares of no par value*.

Bonding powers.

5. The company may issue bonds, debentures, or other securities to the extent of not more than one hundred thousand dollars ($100,000) per mile of railway constructed or under contract to be constructed.

Head office.

6. The head office of the company shall be at the town of Kenora in the district of Kenora.

Construction of railway over Crown lands, etc.

7. The company may, under and subject to such terms and conditions as may be fixed by the Lieutenant-Governor in Council lay down and construct its railway on, along and over any Crown lands and lands over which the Crown has power to grant such right, and also along, over and across any highway or allowance for road in unorganized territory, and along, over and across any highways in any organized municipality and over which the Crown has jurisdiction.

Right to cut timber on Crown lands.

8. The company may, under and subject to such terms and conditions as may be fixed by the Lieutenant-Governor in Council cut down and use from any Crown lands through or along which the railway is being constructed such timber as may be necessary in the construction of the railway and may take and use such rock and gravel as may be necessary for ballasting purposes.

Development and sale of electrical power.

9. The company may acquire by lease or purchase water power sites along or near the said line of railway for the

purpose of its operations and may construct and operate power plants and transmission lines to its line of railway, and may sell and dispose of all surplus electrical power to municipalities, corporations and persons subject to such terms, conditions and prices for power as may be fixed by the Lieutenant-Governor in Council.

Time for commencement and completion.

10. Forthwith after the passing of this Act the necessary surveys shall be made, and the work of actual construction of the railroad shall commence within two years and be completed within five years from the passing of this Act.

Application of provisions of Rev. Stat., c. 224.

11. The provisions of *The Railway Act*, except where inconsistent with the provisions of this Act, shall apply to the company and the railway to be constructed by it.

Commencement of Act.

12. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

An Act to incorporate The Kenora and Red Lake Railway Company.

1st Reading

March 13th, 1928.

2nd Reading

3rd Reading

MR. EARNGEY.

(*Reprinted with amendments for consideration by Railway Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty

No. 58. 1928.

BILL

An Act respecting the Industrial Mortgage and Savings Company.

Preamble.

WHEREAS the Industrial Mortgage and Savings Company has by its petition represented that it is a registered loan corporation within the meaning of *The Loan and Trust Corporations Act;* and that its present paid-up capital is $635,000 with a reserve of $544,500; and that it is desirous of obtaining power to carry on the business of a trust company under *The Loan and Trust Corporations Act*, and of surrendering its powers to carry on business as a loan corporation under the said Act and of changing its name to the Industrial Mortgage and Trust Company; and whereas the said company has by its petition prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Change of name.

1. The name of the Industrial Mortgage and Savings Company is hereby changed to the Industrial Mortgage and Trust Company.

Power to act as trust company.

Rev. Stat., c. 223.

2. The company upon registration as hereinafter provided shall be and it is hereby authorized and empowered to carry on business as a trust company under *The Loan and Trust Corporations Act*, and to exercise all of the powers set out in clauses *a* to *k*, inclusive, of subsection 1 of section 18 of *The Loan and Trust Corporations Act*, and all the other powers, rights and privileges which a trust company may exercise under *The Loan and Trust Corporations Act*.

Power as loan company to cease, with exceptions.

Rev. Stat., c. 223.

3. Save as hereinafter provided, the company shall not after registration as a trust company exercise the powers of a loan corporation under the said *The Loan and Trust Corporations Act*, in so far as such powers exceed or differ from those conferred upon a trust company by the said Act.

Securities as guarantee of debentures

Rev. Stat., c. 150.

4. The company shall definitely set aside and ear-mark in respect of its debentures, outstanding from time to time, securities, including loans upon securities, authorized as trustee investments under *The Trustee Act*, equal to the full aggregate amount thereof. The company shall not issue any further debentures or renew any of its outstanding debentures.

Approval of company as trust company for court purposes.

5. Notwithstanding that the company has issued and outstanding debentures the Lieutenant-Governor in Council may approve the company being accepted as a trust company for the purposes of the Supreme Court of Ontario as provided in section 20 of *The Loan and Trust Corporations Act*.

Restrictions as to taking deposits.

6. After registration as a trust company, the company shall not have power to take deposits by way of borrowing moneys, and all deposits then held by the company shall be held by it as trustee for the several depositors and repayment thereof shall by virtue of this Act be guaranteed by the company, and there shall be ear-marked and definitely set aside in respect of such deposits, securities, including loans upon securities or cash, including money on deposit with any chartered bank and securities, including loans upon securities equal to the aggregate amount thereof.

Registration as trust company.

7.—(1) Upon the company complying with the provisions of this Act, the Registrar of Loan Corporations shall cause the company to be registered in the trust companies register and thereupon the company shall, except as hereinafter otherwise provided comply with and be subject to the provisions of the said *The Loan and Trust Corporations Act* applicable to trust companies incorporated pursuant to the said Act.

Cancellation of registration as loan corporation.

(2) Upon registration of the company as a trust company, the registrar shall cancel the registration of the company as a loan corporation.

Commencement of Act.

8. This Act shall come into force on the day upon which it receives the Royal Assent.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act respecting the Industrial Mortgage and Savings Company.

1st Reading

2nd Reading

3rd Reading

MR. HANEY.

(*Private Bill.*)

TORONTO
Printed by
The Printer to the King's Most Excellent Majesty.

No. 60. 1928.

BILL

An Act respecting the Congregations of the Presbyterian Church of Canada at Dorchester and Wardsville.

Preamble.

WHEREAS the congregations of Presbyterians in the villages of Dorchester and Wardsville, known respectively as Dorchester Presbyterian Church and Wardsville Presbyterian Church (not connected with the United Church of Canada), have by their petition represented that they are in origin the non-concurring minorities of the Presbyterian congregations in the said villages of Dorchester and Wardsville which were, before the 10th day of June, 1925, in communion with the Presbyterian Church in Canada as then constituted; and that the former Presbyterian congregation and the former Methodist congregation in each of the two said villages have joined together to form one congregation in communion with the United Church of Canada in each of the said villages, occupying in each instance the buildings formerly owned by the former Methodist congregation and leaving the buildings formerly owned by the Presbyterian congregation vacant and unused; and that the buildings and premises formerly used as Presbyterian Church and Manse at Dorchester and Presbyterian Church at Wardsville are now owned by congregations in communion with the United Church of Canada but are not now required for church purposes by them; and that the present congregations of Presbyterians are regularly organized and constituted congregations, recognized by and under the jurisdiction of the Presbytery of London formed by the non-concurring congregations of the Presbyterian Church in Canada, but have no place in which to worship; and whereas the said petitioners have by their petition prayed that an Act may be passed for the purpose of vesting the said buildings and premises in trustees for the said congregations of Presbyterians at Dorchester and Wardsville; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Dorchester and Wardsville Presbyterian Church Act, 1928.*

Vesting of certain lands.

2. The estate, right, title and interest of the trustees of the congregation of the United Church of Canada at Dorchester and of the said congregation in the lands and buildings of the former Presbyterian congregation at Dorchester described in schedule "A" hereto, are hereby vested in George Hunt of the county of Middlesex, farmer, and William H. Shiels of the county of Middlesex, farmer, as trustees for the congregation of Presbyterians in and around the village of Dorchester, known as Dorchester Presbyterian Church (not connected with the United Church of Canada).

Vesting of certain lands.

3. The estate, right, title and interest of the trustees of the congregation of the United Church of Canada at Wardsville and of the said congregation in the lands and buildings of the former Presbyterian congregation at Wardsville described in schedule "B" hereto, are hereby vested in George H. Archer of the county of Middlesex, farmer, and Charles Humphrey of the county of Middlesex, farmer, as trustees for the congregation of Presbyterians in and around the village of Wardsville, known as Wardsville Presbyterian Church (not connected with the United Church of Canada).

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

All and singular those certain parcels or tracts of land and premises situate, lying and being in the Township of North Dorchester, in the County of Middlesex, and being part of Lot 9, in the Fourth Concession of the said township which may be better described as follows:—

"Lots numbers eleven (11), twelve (12), thirteen (13) and fourteen (14) on the west side of Bridge Street, according to Plan No. 52 (fifty-two) for the Village of Hampton."

SCHEDULE "B"

All and singular that certain parcel of iand and premises situate, lying and being in the Township of Mosa in the County of Middlesex and Province of Canada West containing by admeasurement one-half of an acre, be the same more or less being composed of part of Lot number seventeen (17) Broken Front, south of the Longwood's Road in said township and may be known as follows:—Commencing at a post planted on northwest corner of Amy Street and the Hagerty Road on said lot; thence westerly along the north side of Amy Street two chains and fifty links; thence northerly running parallel with the Hagerty Road two chains; thence easterly two chains and fifty links; thence southerly along the Hagerty Road two chains to the place of beginning.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act respecting the Congregations of the Presbyterian Church of Canada at Dorchester and Wardsville.

1st Reading,

February 23rd, 1928.

2nd Reading

3rd Reading

MR. MACDIARMID.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 61. 1928.

BILL

An Act respecting the City of Toronto.

Preamble.

WHEREAS the corporation of the city of Toronto has by petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Power to construct pump to lift sewage.

Rev. Stat., cc. 262, 235.

1. Subject to the provisions of *The Public Health Act* the corporation of the city of Toronto may construct as a local improvement under the provisions of *The Local Improvement Act* and thereafter maintain and operate a pump and equipment to lift sewage into the sewer on Clendenan Avenue from the area comprising lots 108 to 142 inclusive, lots 149 to 167 inclusive and lots 172 to 177 inclusive according to plan M-501 filed in the office of Land Titles at Toronto, but the whole of the cost of constructing the said pump and equipment and a sum sufficient to cover the cost of their subsequent maintenance and operation shall be assessed upon the lots above described by an equal rate per foot frontage of said lots.

By-law No. 11516, confirmed.

2. By-law number 11516 passed by the council of the corporation of the city of Toronto, as set forth in schedule "A" hereto, and all debentures issued or to be issued, under the provisions of the said by-law, are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Power to borrow for certain purposes without assent of electors.

3. The council of the corporation of the city of Toronto may from time to time, without submitting same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for the issue of "City of Toronto General Consolidated Loan Debentures" to raise the sum of $2,735,669, or any portion thereof, for the following purposes, namely:

Relief Sewers:		
Parkdale, from, at or about the intersection of Macdonell and Wright Avenues to the lake...	$398,390	
Extension of Low Level Interceptor from a point near the intersection of Front and Bathurst Streets to a point near Walnut Avenue.....	44,850	
Elm Street, from Murray Street to Simcoe Street.....	5,540	
From Yonge Street to Don River	549,625	
		$998,405
Replacement of Spadina Road bridge.....		256,264
Two new branch Public Library buildings....		100,000
Extensions of sewers on waterfront.....		56,000
Police Administration Building.....		500,000
New Machinery and Electric Building in Exhibition Park.....		600,000
Grant to Salvation Army Women's Hospital..		25,000
Grant to Women's College Hospital.....		200,000
		$2,735,669

Grant of $10,000 to Art Gallery.

4. The council of the corporation of the city of Toronto may out of the current revenue for the year 1928 make a grant of $10,000 to the Art Gallery of Toronto for the maintenance and upkeep of the Art Gallery in addition to the annual grant authorized by section 2 of the Act passed in 1917 and chaptered 134.

Annual grant to P. H. Drayton, K.C.

5. The annual grant of $1,500 made by the council of the corporation of the city of Toronto to Philip H. Drayton, Esquire, K.C., is hereby validated and confirmed.

Investment of sinking funds.

6. The corporation of the city of Toronto may from time to time invest its sinking funds in the purchase of debentures of the said corporation which are outstanding or which have been executed but not issued and any such unissued debentures when so purchased shall be deemed to have been issued and

the said corporation may from time to time sell any debentures so purchased.

Power of Housing Commission to sell houses.

7. The Toronto Housing Commission may, with the consent of the council of the corporation of the city of Toronto, from time to time sell or otherwise dispose of houses erected by, or lands vested in or controlled by, the said Commission, to such purchasers at such times and upon such terms as it may deem expedient.

Grants to Club Houses to meet taxes for local improvement and school purposes.

8. For the purpose of paying the arrears of taxes for local improvement and school purposes levied in the years 1924, 1925, 1926 and 1927 against premises occupied by the club-houses hereinafter mentioned, the council of the corporation of the city of Toronto may make a grant to each of said club-houses of a sum of money equal to the arrears of taxes so levied against same, and the said council may also grant to each of the said club-houses a sum of money equal to the amount of taxes for local improvements and school purposes to be levied against said club-houses in 1928.

The following are the club-houses hereinbefore referred to:

West End Veterans' Club-house, 722 College Street, Toronto; Earlscourt Veterans' Club-house, 6-A Greenlaw Avenue, Toronto; Central Veterans' Club-house, 41 Isabella Street, Toronto; Riverdale Veterans' Club-house, 463 Broadview Avenue, Toronto; Beaches Veterans' Club-house, 96 Lee Avenue, Toronto; Originals' Club-house, 441 Jarvis Street, Toronto; Amputations' Association Club-house, 62 St. Albans Street, Toronto.

Grant to Hebrew Free School.

9. The council of the corporation of the city of Toronto may make a grant to the Toronto Hebrew Free School of a sum of money equal to the amount of the taxes for the years 1923, 1924 and 1925 on the property occupied by the said school at numbers 9-11 Brunswick Avenue in the city of Toronto.

Commencement of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

NUMBER 11516.

A by-law to provide for borrowing $2,334.11 upon debentures to pay for the grading of Glenmanor Drive East from Williamson Road to Glenmanor Drive.

[Passed February 20th, 1928.]

Whereas, pursuant to construction By-law No. 10442 passed on the fourth day of May, 1925, Glenmanor Drive East has been graded from Williamson Road to Glenmanor Drive as a local improvement under the Provisions of *The Local Improvement Act;*

And whereas the total cost of the said work is $2,334.11, of which $925.43 is the Corporation's portion of the cost, and $1,408.68 is the owners' portion of the cost, and for the owners' portion of the cost of such work a Special Assessment Roll has been duly made and certified;

And whereas it is necessary to borrow the sum of $2,334.11, being the total cost of the said work, on the credit of the Corporation, and to issue Debentures therefor bearing interest at the rate of four and one-half per cent. per annum, which is the amount of the debt intended to be created by this By-law;

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of ten years, of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years;

And whereas it will be necessary to raise annually during the period of ten years for the payment of the owners' portion of the cost and the interest thereon the sum of $178.03, and for the payment of the Corporation's portion of the cost and the interest thereon the sum of $116.95, making in all the sum of $294.98 to be raised annually during the period of ten years to pay the said yearly sums of principal and interest as they become due;

And whereas the amount of the whole rateable property of the Municipality, according to the last revised Assessment Roll, is $922,717,572.00, including $69,476,103.00, liable for taxation for school purposes only, and which is exempt from general taxation.

And whereas the Debenture Debt of the City is $176,861,754.00, of which the sum of $104,802,287.00 by various statutes is not to be counted as part of the Debenture Debt in estimating the City's borrowing powers as authorized and controlled by an Act passed in the 52nd year of the reign of Her late Majesty Queen Victoria, and chaptered 74, entitled *An Act respecting the Consolidation of the Debenture Debt of the City of Toronto*, of which debt no part of the principal or interest is in arrear;

Therefore, the Council of the Corporation of the City of Toronto enact as follows:—

I.

That for the purpose aforesaid there shall be borrowed on the credit of the Corporation at large the said sum of $2,334.11, and Debentures shall be issued therefor either in currency or sterling money in sums of not less than One hundred dollars currency or twenty pounds sterling each, bearing interest at the rate of four and one-half per cent. per annum, payable half-yearly, and shall have coupons attached thereto for the payment of the interest.

II.

The Debentures shall all bear the same date and shall be issued within two years after the day on which this By-law is passed and may bear any date within such two years and shall be payable in ten annual instal-

ments during the ten years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as follows:

Year No.	Principal	Interest	Total
1st	$189 95	$105 03	$294 98
2nd	198 49	96 49	294 98
3rd	207 42	87 56	294 98
4th	216 76	78 22	294 98
5th	226 51	68 47	294 98
6th	236 71	58 27	294 98
7th	247 36	47 62	294 98
8th	258 49	36 49	294 98
9th	270 13	24 85	294 98
10th	282 29	12 69	294 98
	$2,334 11	$615 69	$2,949 80

III.

The Debentures as to both principal and interest may be expressed in currency or sterling money of Great Britain, and may be payable at any place or places in Canada or Great Britain or elsewhere.

IV.

The Mayor of the Corporation shall sign and issue the Debentures, and the same shall also be signed by the Treasurer of the Corporation, and the Debentures shall be sealed with the seal of the Corporation. The coupons attached to the said Debentures shall be signed by the Treasurer and his signature to them may be written, stamped, lithographed or engraved.

V.

During ten years, the currency of the Debentures, there shall be raised annually for the payment of the owners' portion of the cost and the interest thereon the sum of $178.03, and for the payment of the Corporation's portion of the cost and the interest thereon the sum of $116.95, making in all the sum of $294.98 to be raised annually during the period of ten years for the payment of the said debt and interest.

For the payment of the Corporation's portion of the cost and the interest thereon, the said sum of $116.95 shall be levied and raised annually by a special rate sufficient therefor over and above all other rates on all the rateable property in the Municipality at the same time and in the same manner as other rates.

For the payment of the owners' portion of the cost of the said work and the interest thereon, the special assessment set forth in the said Special Assessment Roll is hereby imposed upon the lands liable therefor as therein set forth; which said special assessment, with a sum sufficient to cover interest thereon at the rate aforesaid, shall be payable in ten equal annual instalments of $178.03 each, and for that purpose an equal annual special rate per foot frontage of twenty-four and nine-tenths cents is hereby imposed upon each lot entered in the said Special Assessment Roll according to the assessed frontage thereof, over and above all other rates and taxes, which said special rate shall be collected annually by the collector of taxes for the Corporation at the same time and in the same manner as other rates.

VI.

If at any time the owner of the said properties hereby assessed or of any part thereof shall desire to commute the assessment hereby imposed upon his said property by the payment of a principal sum in lieu thereof he may do so prior to due date for payment of the first instalment of the first year's rates by paying one dollar and ninety-six and three-tenths cents

and he may commute in any subsequent year the remaining special rates by paying the present value of such remaining special rates hereby authorized to be levied in respect of the said property calculated on an interest basis of three per cent. per annum.

VII.

All money arising from the said soecial rate or from the commutation thereof not immediately required for the payment of interest shall be invested as required by law.

VIII.

The Debentures may contain any clause providing for the registration thereof authorized by any statute relating to Municipal Debentures in force at the time of the issue thereof.

IX.

The amount of the loan authorized by this By-law may be consolidated with the amount of any loans authorized by other local improvement By-laws, by including the same with such other loans in a consolidating By-law authorizing the borrowing of the aggregate thereof as one loan and the issue of Debentures for such loan in one consecutive issue pursuant to the provisions of the statute in that behalf.

X.

This By-law shall take effect on the day of the final passing thereof.

Passed the 20th day of February, 1928.

SAMUEL MCBRIDE,
Mayor.

W. A. LITTLEJOHN,
City Clerk.

Council Chamber,
Toronto, February 20th, 1928.
(L.S.)

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act respecting the City of Toronto.

1st Reading

February 29th, 1928.

2nd Reading

3rd Reading

MR. NESBITT.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 61. 1928.

BILL

An Act respecting the City of Toronto.

Preamble.

WHEREAS the corporation of the city of Toronto has by petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Power to construct pump to lift sewage.

Rev. Stat., cc. 262, 235.

1. Subject to the provisions of *The Public Health Act* the corporation of the city of Toronto may construct as a local improvement under the provisions of *The Local Improvement Act* and thereafter maintain and operate a pump and equipment to lift sewage into the sewer on Clendenan Avenue from the area comprising lots 108 to 142 inclusive, lots 149 to 167 inclusive and lots 172 to 177 inclusive according to plan M-501 filed in the office of Land Titles at Toronto, but the whole of the cost of constructing the said pump and equipment and a sum sufficient to cover the cost of their subsequent maintenance and operation shall be assessed upon the lots above described by an equal rate per foot frontage of said lots.

By-law No. 11516, confirmed.

2. By-law number 11516 passed by the council of the corporation of the city of Toronto, *for borrowing $2,334.11 to pay for the grading of Glenmanor Drive East from Williamson Road to Glenmanor Drive*, and all debentures issued or to be issued, under the provisions of the said by-law, are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Power to borrow for certain purposes without assent of electors.

3. The council of the corporation of the city of Toronto may from time to time, without submitting same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for the issue of "City of Toronto General Consolidated Loan Debentures" to raise the sum of $2,735,669, or any portion thereof, for the following purposes, namely:

Relief Sewers:		
Parkdale, from, at or about the intersection of Macdonell and Wright Avenues to the lake...	$398,390	
Extension of Low Level Interceptor from a point near the intersection of Front and Bathurst Streets to a point near Walnut Avenue.....	44,850	
Elm Street, from Murray Street to Simcoe Street.....	5,540	
From Yonge Street to Don River	549,625	
		$998,405
Replacement of Spadina Road bridge.....		256,264
Two new branch Public Library buildings....		100,000
Extensions of sewers on waterfront.....		56,000
Police Administration Building.....		500,000
New Machinery and Electric Building in Exhibition Park.....		600,000
Grant to Salvation Army Women's Hospital..		25,000
Grant to Women's College Hospital.....		200,000
		$2,735,669

Grant of $10,000 to Art Gallery.

4. The council of the corporation of the city of Toronto may out of the current revenue for the year 1928 make a grant of $10,000 to the Art Gallery of Toronto for the maintenance and upkeep of the Art Gallery in addition to the annual grant authorized by section 2 of the Act passed in *1927* and chaptered 134.

Annual grant to P. H. Drayton, K.C.

5. The annual grant of $1,500 made by the council of the corporation of the city of Toronto to Philip H. Drayton, Esquire, K.C., is hereby validated and confirmed.

Investment of sinking funds.

6. The corporation of the city of Toronto may from time to time invest its sinking funds in the purchase of debentures of the said corporation which are outstanding or which have been executed but not issued and any such unissued debentures when so purchased shall be deemed to have been issued and

the said corporation may from time to time sell any debentures so purchased.

Power of Housing Commission to sell houses.

7. The Toronto Housing Commission may, with the consent of the council of the corporation of the city of Toronto, from time to time sell or otherwise dispose of houses erected by, or lands vested in or controlled by, the said Commission, to such purchasers *at such prices* at such times and upon such terms as it may deem expedient.

Grants to Club Houses to meet taxes for local improvement and school purposes.

8. For the purpose of paying the arrears of taxes for local improvement and school purposes levied in the years 1924, 1925, 1926 and 1927 against premises occupied by the club-houses hereinafter mentioned, the council of the corporation of the city of Toronto may make a grant to each of said club-houses of a sum of money equal to the arrears of taxes so levied against same, and the said council may also grant to each of the said club-houses a sum of money equal to the amount of taxes for local improvements and school purposes to be levied against said club-houses in 1928.

The following are the club-houses hereinbefore referred to:

West End Veterans' Club-house, 722 College Street, Toronto; Earlscourt Veterans' Club-house, 6-A Greenlaw Avenue, Toronto; Central Veterans' Club-house, 41 Isabella Street, Toronto; Riverdale Veterans' Club-house, 463 Broadview Avenue, Toronto; Beaches Veterans' Club-house, 96 Lee Avenue, Toronto; Originals' Club-house, 441 Jarvis Street, Toronto; Amputations' Association Club-house, 62 St. Albans Street, Toronto.

Grant to Hebrew Free School.

9. The council of the corporation of the city of Toronto may make a grant to the Toronto Hebrew Free School of a sum of money equal to the amount of the taxes for the years 1923, 1924 and 1925 on the property occupied by the said school at numbers 9-11 Brunswick Avenue in the city of Toronto.

Commencement of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

An Act respecting the City of Toronto.

1st Reading

February 29th, 1928.

2nd Reading

3rd Reading

MR. NESBITT.

(*Reprinted as amended by the Private Bills Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 62. 1928.

BILL

An Act to authorize the Purchase and Operation of the Windsor, Essex and Lake Shore Rapid Railway.

Preamble.

WHEREAS the corporations of the township of Sandwich West, the township of Sandwich East, the township of Sandwich South, the township of Maidstone, the township of Colchester North, the township of Gosfield North, the township of Gosfield South, the township of Mersea, the town of Essex, the town of Kingsville, the town of Leamington and the city of Windsor have by petition represented that they desire to purchase, rehabilitate and operate the Windsor, Essex and Lake Shore Rapid Railway under agreement with the Hydro-Electric Power Commission of Ontario; and whereas it is expedient that an Act should be passed empowering the said corporations to purchase, rehabilitate and operate the said railway under agreement with the said Commission; and whereas the said corporations have by their petition further prayed that it may be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928.*

Interpretation.

2. In this Act,—

"Commission."

(*a*) "Commission" shall mean The Hydro-Electric Power Commission of Ontario.

"Corporation."

(*b*) "Corporation," "corporations," shall mean the corporations of the township of Sandwich West, the township of Sandwich East, the township of Sandwich South, the township of Maidstone, the township of Colchester North, the township of Gosfield North, the township of Gosfield South, the township

of Mersea, the town of Essex, the town of Kingsville, the town of Leamington, and the city of Windsor; and "corporation" shall mean any one of them.

"Railway." (*c*) "Railway" shall mean the Windsor, Essex and Lake Shore Rapid Railway.

"Agreement." (*d*) "Agreement" shall mean the agreement set out in schedule "A" to this Act.

Power to acquire and operate railway. **3.** The corporations may purchase, acquire, construct, rehabilitate, extend, equip and operate the railway, and subject to the provisions of section 11 after the deposit of the debentures as provided in section 6, subsection 2, the Commission may upon behalf of the corporations, purchase, acquire, construct, rehabilitate, extend, complete, equip, maintain and operate the railway as provided by the agreement, and for that purpose shall have, and may for the purpose aforesaid, exercise all the powers, rights, immunities and privileges of a company incorporated by special Act for the construction of a railway under *The Railway Act* so far as the same are applicable.

Power of corporations and commission to enter into agreements. **4.** The Commission and the corporations are authorized to enter into agreements in the form or to the effect set out in schedule "A" to this Act or with such variations, additions, alterations as may be approved by the Lieutenant-Governor in Council, and to execute the same, and the said agreements shall be approved of by by-law of the municipal councils of the corporations, and when so approved shall be signed by the mayors of the corporations and by the treasurers thereof, and the treasurers shall affix the seal of the corporations thereto, and when so executed the said agreements shall be legal, valid and binding upon the corporations and the ratepayers thereof, and upon the Commission, anything in any general or special Act of this Legislature or in any by-law passed under such Act to the contrary notwithstanding.

Issue of bonds by Commission. **5.**—(1) The Commission may raise money for the construction and equipment and for working capital of the railway by the issue for and on behalf of the corporations of bonds of the Commission for the total of the amounts set out in schedule "B" to this Act, and the Commission may from time to time subject to subsection 2 of this section increase such bond issue by the issue of further bonds for such amount as the Commission may deem necessary to cover the capital cost of extensions, improvements, and additional properties, works and equipment of any kind for use on, or in connection with, the railway; and the Commission, from time to time, upon such terms as it deems proper, may sell,

hypothecate, pledge or otherwise dispose of any bonds of the Commission, issued under this agreement but only after deposit with the Commission of the debentures of the corporations as provided in this Act and the agreement.

Assent of corporations to further issue of bonds.

(2) Subject as hereinafter in this subsection provided, the Commission shall obtain the consent of a majority of the corporations before increasing the said bond issue by the issue of further bonds, such consent in each case to be in the form of a municipal by-law duly passed by the council of the corporation for which the assent of the electors shall not be necessary; provided that where such further bonds are being issued to cover capital cost within the limits of one municipality only the consent of that municipal corporation alone shall be necessary; and provided further that it shall not be necessary to obtain the consent of any of the corporations in respect to the issue of further bonds from time to time up to an amount and exceeding ten per cent. of the aggregate amount of the bonds of the Commission issued with the consent of the corporations as above mentioned and outstanding from time to time.

Bonds—how payable.

(3) The bonds issued for the Commission from time to time under this section shall respectively bear such date, carry such rate of interest, be payable at such place or places and in such moneys and upon such terms and conditions and mature within such period not exceeding fifty (50) years from the date thereof as the Commission may determine at the time of issuing the said bonds; all bonds issued by the Commission under this section shall form part of the said bond issue, shall rank *pari passu*, and shall be equally charged upon and secured by the railway and every extension thereof and all lands and interests in lands, buildings, fixtures, improvements, stations, terminals, rolling stock, equipment, income, tolls, revenue, sources of money, rights, powers, privileges, franchises and all properties and assets of or belonging to the railway as a first mortgage or charge thereon.

Sinking funds for retirement of bonds.

(4) In order to provide for the payment of the said bonds the Commission shall in each year after the expiration of ten (10) years from the date of the said bonds respectively, out of the revenue of the railway after payment of operating expenses, including the supply of electrical power or energy and the cost of administration and annual charges for interest, set aside annually as a sinking fund such sums as with the estimated interest at the rate of four per cent. per annum compounded annually would be sufficient in forty (40) years to repay the said bonds respectively, and such sinking fund shall be held for and applied towards the repayment or retirement of the said bonds respectively or any renewal or

refunding thereof at maturity and in the meantime may be invested in securities issued by or guaranteed by the Province of Ontario; and the Commission shall have power at such times as it may deem expedient to issue further bonds to such amounts as will realize the net sum required after the application of the accumulated sinking fund on hand available therefor to repay the said bonds as the same respectively mature.

Power of Commission to dispose of unnecessary property.

(5) With the approval of the Lieutenant-Governor in Council the Commission, upon such terms as it deems proper, but subject always to the terms of any trust deed securing the bonds of the Commission, may lease, sell or otherwise dispose of, free from any lien, charge, mortgage or encumbrance, any property real or personal which the Commission may deem unnecessary for the purpose of the railway or any section or extension thereof and the Commission shall use or dispose of the proceeds thereof only for the purposes of the railway in expenditures on capital account or shall invest the same in securities of or guaranteed by the Province of Ontario or shall apply the same for the retirement of the said bonds or partly in one way and partly in the other.

Payment of bonds by Commission.

6.—(1) The corporations shall bear the cost of acquiring, rehabilitating, constructing, extending, equipping, operating, maintaining, repairing, renewing and insuring the railway and its property and works as established by the Commission and, as hereinafter provided, shall pay the principal, interest and premium, if any, of and on the bonds of the Commission issued for the railway to the intent and effect that the bonds of the Commission shall be joint and several obligations of the corporations.

Issue and deposit of debentures with Commission.

(2) The corporations shall issue debentures for the amounts set opposite their respective names in schedule "B" to this Act and shall deposit the said debentures with the Commission previous to the issue by the Commission of its bonds mentioned above.

Debentures, how payable.

(3) The debentures issued by the corporations shall bear the same date as the bonds issued by the Commission, and shall carry a rate of interest not less than the said bonds and shall mature within fifty (50) years from the date of such debentures; the interest thereon shall be payable half-yearly and both principal and interest shall be payable in lawful money of Canada.

Issue and deposit of further debentures.

(4) From time to time, whenever the Commission shall authorize an increase of the said bond issue by the issue of further bonds of the Commission as hereinbefore provided,

the corporations upon requisition in writing from the Commission, shall issue and deposit with the Commission further debentures to the respective amounts specified in the said requisition; the said further debentures shall be for the same amount in total as the said further bonds of the Commission constituting the said increase, and shall carry a rate of interest not less than the said bonds and shall mature within fifty (50) years from the date of the said debentures; the interest thereon shall be payable half-yearly and both principal and interest shall be payable in lawful money of Canada.

Debentures as collateral security for bonds.

(5) All debentures issued by the corporations shall be held or disposed of by the Commission in trust for the holders of the bonds of the Commission issued for the railway as collateral security for the payment thereof in such manner and at such time or times and upon such terms and conditions as the Commission in its discretion may determine.

Liability of corporations to make up deficiencies in revenues.

(6) In the event of the revenue derived from the operation of the railway being insufficient in any year to meet the operating expenses of the railway, including the supply of electrical power or energy, the cost of administration and the annual charges for interest and sinking fund on the bonds of the Commission, and if the Commission deems advisable, for the renewal of any works belonging in the whole or in part to the railway, such deficiency shall be forthwith paid to the Commission by the corporations upon demand of and in the proportion adjusted and specified by the Commission.

Sale of debentures by Commission.

(7) In default of any payment required to be made by any corporation under this Act or under the agreement, the Commission may sell or otherwise dispose of so much of the said debentures as may be necessary to supply such deficiency, or may enforce such payment in the manner, or take such other action in regard to such default, as is provided for in the said agreement.

Interest and sinking fund for debentures.

(8) The by-laws of the corporations, which authorize the issue of the said debentures to be deposited with the Commission under this Act and under the agreement, shall in each case provide for the raising in each year during the currency thereof, of the annual interest thereon and in each year commencing at the expiration of ten years from the date thereof and continuing during the currency of the said debentures, of a specific sum which with the estimated interest at a rate not exceeding four per cent. per annum capitalized yearly will be sufficient to pay the principal of the said debentures at maturity.

Assent of electors not required.

(9) It shall not be necessary to obtain the assent of the electors to any by-law for the issue of debentures under this section.

Debts not to be counted in ascertaining limit of borrowing powers.

(10) Debentures issued and debts contracted by any corporation pursuant to this Act or the said agreement, shall not be included in ascertaining the limits of the borrowing powers of the corporation as prescribed by *The Municipal Act*, and debentures may be issued and debts contracted by the corporations for the purposes mentioned in this Act or in the said agreement notwithstanding the limitations prescribed by *The Municipal Act*.

Hypothecation of debentures as security for bonds.

7. The Commission in lieu of holding the said debentures may lodge, pledge, hypothecate, charge or mortgage the same or any of them with or to a trust company or corporation as trustee for the holders of the bonds of the Commission and for such purpose the Commission may enter into, execute and deliver any agreement, trust indenture or other document containing such powers, terms and conditions, and such mortgage, charge or pledge, including the mortgage on the railway and every extension thereof and all the lands and interests in land, buildings, fixtures, improvements, terminals, rolling stock, equipment, income, tolls, revenues, sources of money, rights, powers, privileges, franchises and all other properties and assets of or belonging to the railway, as the Commission in its sole discretion shall deem to be in the best interests of the railway and of the holders of said bonds, anything contained in the agreement to the contrary notwithstanding, and the Commission may assign and transfer to and vest in the said trustee for the holders of the bonds of the Commission all the rights, powers, privileges and remedies conferred upon the Commission under the agreement and all benefit and advantage to be derived therefrom; and in the event that the Commission shall make default in payment of the principal of or interest on its bonds or in payment of the sinking fund provided in respect of its bonds, or in any other particular whatsoever under the trust indenture securing its bonds, and the trustee thereof shall have determined or become bound to enforce the same and shall have declared to be due and payable the principal and interest of the bonds of the Commission issued under the agreement, trust indenture or other document and all other moneys secured thereby, the corporations shall, upon notification from the Commission or said trustee, pay to said trustee for the benefit of the holders of the bonds of the Commission secured by said agreement, trust indenture or other document, the principal, interest and premium, if any, of and on the said bonds thereby secured and then outstanding and all other moneys secured thereby without prejudice, however, to the

rights of the respective corporations, upon such payment being made by any or all of them to recover from any corporation or corporations parties thereto such sum or sums as the Commission may in its discretion deem equitable, provided that such trustee before enforcing the obligations of the said corporations as herein above provided may sell or otherwise dispose of any or all of the said debentures lodged, pledged, hypothecated, charged or mortgaged as aforesaid as may be necessary, together with any accumulated sinking fund on hand, to repay in full the principal, interest and premium, if any, of and on the said bonds of the Commission and all other moneys secured by the agreement, trust indenture or other document, and in the event of such proceeds being insufficient to meet the payments aforesaid the corporations shall upon notification from the Commission or said trustee of the amount of such deficit, without prejudice to their respective rights as aforesaid, pay to said trustee the amount of such deficit and for the purpose of recovering from the corporations or any of them any sum or sums due by them or any of them to said trustee as aforesaid, the said trustee shall have all the rights and remedies provided for in *The Execution Act*.

Power to discontinue service in default of corporation.

8. Should any corporation fail to perform any of the obligations to the Commission under this Act and under the said agreement, the Commission may, in addition to all other remedies under this Act or under the said agreement, and without notice, discontinue the service of the railway to such corporation in default until the said obligation has been fulfilled, and no such discontinuance of service shall relieve the corporation in default from the performance of its said obligations.

Case of corporation failing to execute agreement.

9.—(1) Where any corporation, named as a party to any such agreement under this Act, has failed to pass the necessary by-law and to execute the agreement, and it appears to the Lieutenant-Governor in Council that the amount for which such corporation would be liable under the agreement does not exceed fifteen per cent. of the estimated cost of the acquisition, construction, rehabilitation and equipment of the railway as set out in the said report, and that the remaining corporations, parties to the agreement, have by resolution of their respective councils, expressed the desire to proceed with the undertaking notwithstanding the failure of such first-mentioned corporation to execute the agreement, the Commission may proceed with the acquisition, construction, equipment and operation of the railway provided for in the agreement, and to issue bonds from time to time for the amount required for the undertaking, and in such case the corporations which have executed the agreement shall deposit

with the Commission additional debentures in the respective proportions in which they undertake by the agreement to contribute to the cost of the undertaking, to the amount required to replace the debentures which would have been deposited by the first-mentioned corporation.

(2) Should any corporation which has so failed to execute the agreement subsequently execute the same and deposit debentures as required by the agreement, the Commission shall return to the other corporations the additional debentures deposited under subsection 1, and such debentures may be cancelled by the respective corporations.

Commission not bound to construct until corporation executes agreement.

(3) Until a corporation, party to the agreement, has executed the agreement and deposited debentures with the Commission as required by this Act or the agreement, the Commission shall not be bound to construct, equip, maintain or operate within the limits of the corporation any works contemplated by the agreement except such as may be necessary for the construction, equipment and maintenance of the railway in passing through the municipality to and from municipalities, the corporations of which have executed the agreement and deposited debentures to the amounts stated therein.

Provision for extension of railway into other municipalities.

10.—(1) If at any time any other municipal corporation applies to the Commission for an extension of the railway into its municipality, the Commission shall notify the applicant and the corporations, in writing, of a time and place to hear all representations that may be made as to the terms and conditions relating to such proposed extension. Applications for extension into more than one municipality may be heard and determined at one time. If, on the recommendation of the Commission, such extension shall be authorized, without discrimination in favour of the applicant, as to the cost incurred or to be incurred for or by reason of any such extension, the Commission may extend the railway upon such terms and conditions as may appear equitable to the Commission.

(2) No such application for an extension of the railway into any municipality the corporation of which is not a party to the agreement, shall be granted if it is estimated by the Commission that the cost of service of the railway to the corporations parties thereto will be thereby increased or the revenue and accommodation be injuriously affected, without the written consent of the majority of the corporations parties thereto.

11.—(1) Where land is required for any of the purposes for which land may be acquired or expropriated under *The Railway Act*, the Commission in respect thereof shall have the powers and shall proceed in the manner provided by *The Public Works Act*, where the Minister of Public Works takes land or property for the use of Ontario; and the provisions of the said Act shall, *mutatis mutandis*, apply. Powers of Commission to expropriate land. Rev. Stat., cc. 224, 52.

(2) Where compensation would be payable upon the exercise of any powers by the Commission under *The Railway Act*, the same shall be determined in the manner provided by *The Public Works Act*.

12. The Commission may pay over annually to the corporations after the repayment in full of all the Commission's bonds, if deemed advisable by the Commission in the interests of the undertaking, any surplus that may remain after providing for all items required to be provided for under this Act and under the said agreement. The division of such surplus between the corporations to be fixed by the Commission on an equitable basis, having regard in the case of each corporation to the capital invested, the service rendered, the comparative benefits derived, and all other like conditions. Payment of surplus to corporations.

13. The railway and all the works, property and effects held and used in connection therewith, acquired, constructed, operated and maintained by the Commission under this Act or under the agreement shall be vested in the Commission in trust for the corporations parties to the agreement for the construction and operation of the railway; but the Commission shall be entitled to a lien upon the same for all money expended by the Commission under the agreement and not repaid. Railway vested in Commission in trust for corporations.

14. The Commission may unite the business of the railway with that of any other railway system operated in whole or in part by the Commission, and may acquire, equip and operate buses or bus lines either instead of any line or lines of the railway or by way of extension wherever it may appear to the Commission advantageous and profitable from time to time, and may exchange equipment and operators from one system to another, proper provision being made so that each system shall pay its proportionate share, as adjusted by the Commission, of the cost of any equipment used in common; provided that as part of any line of railway constructed or operated by the Commission, the Commission may purchase, lease or obtain running rights over any steam railway, electric or street railway or bus line or any part thereof. Union with other system operated by Commission. Operation of buses.

15. The consent of any corporation required under this Act or under the agreement shall mean the consent of the Consent of corporation—how given.

council of such corporation, and such consent shall be in the form of a municipal by-law duly passed by the council of the corporation.

Levy of rates.

16. Any and all municipal rates required to be levied by the corporations for payment of debentures or interest thereon referred to in this Act or the agreement, shall be raised, levied and collected from the rateable property in the districts described and enumerated in schedule "C" to this Act.

Ancillary powers.

17. The Commission and the corporations shall have and may exercise all powers necessary to the effectual performance by the Commission and the corporations of all the terms and conditions contained in the agreement set out in schedule "A" to this Act or as the same may be varied under section 4.

Non-liability of Province or Commission.

18. The Province shall not nor shall the Commission or any member thereof incur any liability by reason of any error or omission in any estimates, plans or specifications prepared or furnished by the Commission.

Provision for operation under Rev. Stat., c. 226.

19. In the event that the corporations and the Commission do not enter into the agreement set out in schedule "A" to this Act, the corporations may under section 9 of *The Municipal Electric Railway Act*, proceed to organize a municipal electric railway association, which association may then exercise all the powers given to the Commission under this Act and under the said agreement, as well as all powers which may be exercised by a municipal electric railway association under *The Municipal Electric Railway Act*, in so far as the said *The Municipal Electric Railway Act* does not conflict with the powers given to the corporations or the Commission under this Act or under the said agreement.

Books of account.

20. Where such agreement is made the Commission shall maintain separate and distinct books and accounts with respect to the operation of the railway and all moneys received by it in connection with such operation shall be kept in a separate bank account and shall not be merged or mixed with the funds of the Commission derived from any other sources.

Certain sections of Rev. Stat., c. 224, not to apply.

21. Sections 65 to 68 and section 210 of *The Railway Act* shall not apply to the corporations or the Commission or to any railway constructed, purchased or operated under authority of this Act, but the construction, equipment and operation of such railway by the corporations or the Commission shall be in accordance with the provisions of *The Railway Act* except where they are inconsistent with the provisions of this Act.

22.—(1) Where a municipal corporation has entered into an agreement with the Commission for the construction and operation of a railway under the provisions of this Act, the corporation shall not enter into any agreement or arrangement with, nor grant any bonus, license or other inducement to any railway or transportation company without the written consent of the Commission, and where any such corporation controls or holds shares or stock in a company operating a railway, an electric railway or street railway, the transfer of the control of such company or of stock or shares therein or securities thereof to any person or corporation shall be deemed to be an agreement or arrangement within the meaning of this section. Prohibition as to granting bonus, etc., to any railway company.

(2) Notwithstanding anything contained in any general or special Act heretofore passed by this Legislature, a municipal corporation shall not sell or otherwise dispose of any steam railway, electric railway or street railway owned by it or of which it has acquired control by foreclosure or other proceedings or under the provisions of any special Act, unless and until a by-law authorizing such sale or other disposal has been submitted to and has received the assent of the municipal electors qualified to vote on money by-laws according to the provisions of *The Municipal Act*. Assent of electors required to sale of railway.

(3) Every agreement or arrangement entered into by a municipal corporation in violation of subsection 1 shall be null and void.

23. Wherever the words "construction," "constructed," "construct," "constructing," occur in this Act or in the agreement, they shall be interpreted as including "acquisition," "acquired," "acquire," "acquiring." Interpretation.

24. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

SCHEDULE "A"

STANDARD AGREEMENT

This indenture made the day of in the year of our Lord one thousand nine hundred and .

BETWEEN:

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO
(hereinafter called the "Commission"),

of the first part,

—and—

The Municipal Corporations of the Township of Sandwich West, the Township of Sandwich East, the Township of Sandwich South, the Township of Maidstone, the Township of Colchester North, the Township of Gosfield North, the Township of Gosfield South, the Township of Mersea, the Town of Essex, the Town of Kingsville, the Town of Leamington, and the City of Windsor,
(hereinafter called the "Corporations"),

of the second part.

Whereas pursuant to *The Hydro-Electric Railway Act, 1914*, and amendments thereto, the Commission was requested to enquire into, examine, investigate and report upon the cost of acquisition, rehabilitation, construction, equipment and operation of an electric railway, now known as The Windsor, Essex and Lake Shore Rapid Railway and running through certain districts in which the Corporations are situated, and over the routes described in Schedule "A" together with the probable revenue that would result from the operation of such railway;

And whereas the Commission has furnished the Corporations with such a report showing (1) the total estimated cost, operating revenue and expenses of the railway and (2) the proportion of the capital cost to be borne by each of the Corporations as set forth in Schedule "B" attached hereto;

And whereas on receipt of the said report the Corporations requested the Commission to acquire, rehabilitate, construct, equip and operate the said electric railway (hereinafter called the railway) over the routes laid down in Schedule "A" attached hereto, upon the terms and conditions and in the manner herein set forth;

And whereas the Commission has agreed with the Corporations on behalf of the Corporations to acquire, rehabilitate, construct, equip and operate the railway upon the terms and conditions and in the manner herein set forth; but upon the express conditions that the Commission shall not in any way be liable for any financial or other obligation or loss whatsoever by virtue of this agreement or arising out of the performance of the terms thereof or by reason of any error or omission in any estimated, plans or specifications;

Now therefore, this indenture witnesseth:—

1. In consideration of the premises and of the agreements of the Corporations herein contained, and subject to the provisions of the said Act and amendments thereto, the Commission agrees with the Corporations respectively:—

(*a*) To acquire, rehabilitate, construct, equip and operate the railway through the districts in which the Corporations are situate on behalf of the Corporations;

(*b*) To rehabilitate, construct, equip and operate the railway so acquired over the routes laid down in Schedule "A";

(*c*) To issue bonds, as provided in paragraph 3 of this agreement, to cover the cost of acquiring, rehabilitating, constructing and equipping the railway;

(*d*) To furnish as far as possible first-class modern and standard equipment for use on the railway, to operate this equipment so as to give the best service and accommodation possible, having regard to the district served, the type of construction and equipment adopted and all other equitable conditions, and to exercise all due skill and diligence so as to secure the most effective operation and service of the railway consistent with good management;

(*e*) To regulate and fix the fares and rates of toll to be collected by the railway for all classes of service;

(*f*) To utilize the routes and property of the railway for all purposes from which it is possible to obtain a profit;

(*g*) To combine the property and works of the railway and the power lines of the Commission where such combination is feasible and may prove economical to both the railway and the users of the power lines;

(*h*) To permit and obtain interchange of traffic with other railways wherever possible and profitable;

(*i*) To supply electrical power or energy for operation of the railway at rates consistent with those charged to municipal Corporations;

(*j*) To apportion annually the capital costs and operating expenses of all works, apparatus and plant used by the railway in common with the Commission's transmission lines in a fair manner, having regard to the service furnished by the expenditure under consideration;

(*k*) To apply the revenue derived from operation of the railway and any other revenue derived from the undertaking to the payment of operating expenses, including the supply of electrical power or energy, the cost of administration, and annual charges for interest and sinking fund on the money invested, and such other deductions as are herein provided for;

(*l*) To set aside from any revenue thereafter remaining an annual sum for the renewal of any works belonging in whole or in part to the undertaking;

(*m*) To pay over annually to the Corporations, after the repayment in full of all the Commission's bonds, if deemed advisable by the Commission in the interests of the undertaking, any surplus that may remain after providing for the items above mentioned. The division of such surplus between the Corporations to be fixed by the Commission on an equitable basis, having regard in the case of each Corporation to the capital invested, the service rendered, the comparative benefits derived, and all other like conditions;

(*n*) To take active steps for the purpose of acquiring, rehabilitating, constructing, equipping and operating the railway at the earliest possible date after the execution of this agreement by the Corporations and the deposit of the debentures as called for under sub-clause (*b*) of clause 2 hereof;

(*o*) To make such extensions to the railway described in Schedule "A" as may appear advantageous and profitable from time to time.

Provided always that as part of any line of railway acquired, constructed and operated by the Commission, the Commission may purchase, lease or obtain running rights over, any steam railway, electric railway or street railway or bus line or any part thereof.

2. In consideration of the premises and of the agreements herein set forth the Corporations jointly and severally agree with the Commission as follows:

(*a*) To bear the cost of acquiring, rehabilitating, constructing, equipping, operating, maintaining, repairing, renewing and insuring the railway and its property and works as established by the Commission and, as hereinafter provided, to pay the principal, interest and premium, if any, of and on the bonds of the Commission issued for the railway to the intent and effect that the bonds of the Commission shall be joint and several obligations of the Corporation;

(*b*) To issue debentures for the amount set opposite its name in Schedule "B" to this agreement and to deposit the said debentures with the Commission previous to the issue by the Commission of its bonds mentioned above;

(*c*) To make no agreement or arrangement with, and to grant no bonus, license or other inducement to any other railway or transportation company without the written consent of the Commission;

(*d*) To keep, observe and perform the covenants, provisos and conditions set forth in this agreement intended to be kept and observed and performed by the Corporations, and to execute such further or other documents and to pass such by-laws as may be requested by the Commission for the purpose of fully effectuating the objects and intent of this agreement;

(*e*) To furnish a free right-of-way for the railway and for the power lines of the Commission over any property of the Corporations upon being so requested by the Commission, and to execute such conveyance thereof or agreement with regard thereto as may be desired by the Commission;

3. (*a*) It shall be lawful for the Commission and the Commission is hereby authorized to create or cause to be created an issue of bonds of the Commission for the total of the amounts set out in Schedule "B" and the Commission from time to time subject to sub-clause (*b*) of this clause 3 may increase such bond issue by the issue of further bonds for such amount as the Commission may deem necessary to cover the capital cost of extensions, improvements, and/or additional properties, works and/or equipment of any kind for use on or in connection with the railway; and the Commission, from time to time, upon such terms as it deems proper, may sell, hypothecate, pledge or otherwise dispose of any bonds of the Commission issued under this agreement but only after deposit with the Commission of the debentures of the Corporations as provided in this agreement;

(*b*) Subject as hereinafter in this sub-clause (*b*) provided, the Commission shall obtain the consent of a majority of the Corporations before increasing the said bond issue by the issue of further bonds, such consent in each case to be in the form of a Municipal By-law duly passed by the Council of the Corporation for which the assent of the electors shall not be necessary; provided that where such further bonds are being issued to cover capital cost within the limits of one Municipality only the consent of that Municipal Corporation alone shall be necessary; and provided further that it shall not be necessary to obtain the consent of any of the Corporations in respect to the issue of further bonds from time to time up to an amount not exceeding ten per cent. (10%) of the aggregate amount of the bonds of the Commission issued with the consent of the Corporations as above mentioned and outstanding from time to time;

(*c*) The bonds issued by the Commission from time to time under this agreement shall respectively bear such date, carry such rate of interest, be payable at such place or places and in such monies and upon such terms and conditions and mature within such period not exceeding fifty (50) years from the date thereof as the Commission may determine at the time of issuing the said bonds; all bonds issued by the Commission under this agreement shall form part of the said bond issue, shall rank *pari passu*, and shall be equally charged upon and secured by the railway and every extension thereof and all lands and interests in lands, building, fixtures, improvements, stations, terminals, rolling stock, equipment income, tolls, revenue, sources of money, rights, powers, privileges, franchises and all properties and assets of or belonging to the Railway as a first mortgage or charge thereon;

(*d*) In order to provide for the payment of the said bonds the Commission shall in each year after the expiration of ten (10) years from the date of the said bonds respectively, out of the revenue of the railway after payment of operating expenses, including the supply of electrical power or energy and the cost of administration and annual charges for interest, set aside annually as a sinking fund such sums as with the estimated interest at the rate of four per cent. (4%) per annum compounded annually would be sufficient in forty (40) years to repay the said bonds respectively, and such sinking fund shall be held for and applied towards the repayment or retirement of the said bonds respectively or any renewal or refunding thereof at maturity and in the meantime may be invested in securities issued by or guaranteed by the Province of Ontario; and the Commission shall have power at such times as it may deem expedient to issue further bonds to such amounts as will realize the net sum required after the application of the accumulated sinking fund on hand available therefor to repay the said bonds as the same respectively mature;

(*e*) With the approval of the Lieutenant-Governor-in-Council the Commission, upon such terms as it deems proper, but subject always to the terms of any trust deed securing the bonds of the Commission, may lease, sell, or otherwise dispose of, free from any lien, charge, mortgage or encumbrance, any property real or personal which the Commission may deem unnecessary for the purpose of the railway or any section or extension thereof and the Commission shall use or dispose of the proceeds thereof only for the purposes of the railway in expenditures on capital account or shall invest the same in securities of or guaranteed by the Province of Ontario or shall apply the same for the retirement of the said bonds or partly in one way and partly in the other;

4. (*a*) The debentures issued by the Corporations as mentioned in sub-clause (*b*) of clause 2 hereof shall bear the same date as the bonds issued by the Commission to the total of the amounts set forth in Schedule "B" and shall carry a rate of interest not less than the said bonds and shall mature within fifty (50) years from the date of such debentures; the interest shall be payable half-yearly and both principal and interest shall be payable in lawful money of Canada at Toronto, Ontario, and at such other place or places, if any, as the Corporation in each case may determine;

(*b*) From time to time, whenever the Commission shall authorize an increase of the said bond issue by the issue of further bonds of the Commission as hereinbefore provided, the Corporations upon requisition in writing from the Commission shall issue and deposit with the Commission further debentures to the respective amounts specified in the said requisition; the said further debentures shall be for the same amount in total as the said further bonds of the Commission constituting the said increase; shall bear the same date as the said bonds; shall carry a rate of interest not less than the said bonds, and shall mature within fifty (50) years from the date of the said debentures; the interest shall be payable half-yearly and both principal and interest shall be payable in lawful money of Canada at Toronto, Ontario, and at such other place or places, if any, as the Corporation in each case may determine;

(*c*) All debentures isssued by the Corporations under this agreement shall be held or disposed of by the Commission in trust for the holders of the bonds of the Commission issued for the Railway as collateral security for the payment thereof in such manner and at such time or times and upon such terms and conditions as the Commission in its discretion may determine;

(*d*) In the event of the revenue derived from the operation of the Railway being insufficient in any year to meet the operating expenses of the railway, including the supply of electrical power or energy, the cost of administration and the annual charges for interest and sinking fund on the bonds of the Commission, and if the Commission deems advisable, for the renewal of any works belonging in whole or in part to the railway, such deficit shall be forthwith paid to the Commission by the Corporations upon demand of and in the proportion adjusted and specified by the Commission; and such respective amounts so specified by the Commission shall be debts due and owing by the respective Corporations to the Commission and may be recovered by the Commission from each such Cor-

poration in any Court of competent jurisdiction together with interest at the rate of six per cent. per annum on the balance of any such amounts not paid upon demand as aforesaid; and the production by the Commission of the notice to the Corporation specifying the amount owing and of proof of delivery thereof to the Corporation shall be conclusive evidence of the amount due and owing by the Corporation to the Commission as a debt;

(*e*) In default of payment by any Corporation or Corporations of any amount demanded by the Commission under sub-clause (*d*) of this clause 4, the Commission may upon such terms as it may deem advisable borrow on the security of and pledge or hypothecate the debentures of any Corporation or Corporations to raise the moneys required to meet the amount or amounts so in default; and if the moneys so borrowed shall not have been paid by the Corporations or any of them together with the interest on the moneys so borrowed within two months from the date of such borrowing, the Commission may sell at such price or prices and on such terms and conditions as it may deem proper, sufficient debentures of any Corporation or Corporations to realize the moneys required to repay the moneys so borrowed and the interest thereon. Whenever the debentures of any Corporation shall have been sold as aforesaid, every such Corporation shall in each year thereafter in lieu of the annual sinking fund levies provided for under the respective By-law or By-laws authorizing the issue of such debentures so sold levy for sinking fund such amounts as shall be sufficient to meet at maturity such debentures so sold and shall thereupon issue and deposit with the Commission, upon the same terms and for the same purposes as the original debentures so deposited, additional debentures of such Corporation payable in the same manner and upon the same terms and conditions and to the same principal amount as the debentures so sold, without prejudice to the rights of each such Corporation to recover from any or all of the other Corporations parties hereto such respective sums as the Commission shall determine;

(*f*) The Commission in lieu of holding the said debentures may lodge, pledge, hypothecate, charge and/or mortgage the same or any of them with or to a Trust Company or Corporation as Trustee for the holders of the bonds of the Commission and for such purpose the Commission may enter into, execute and deliver any Agreement, Trust Indenture or other document containing such powers, terms and conditions, and such mortgage, charge and/or pledge, including the mortgage on the railway and every extension thereof and all the lands and interests in land, buildings, fixtures, improvements, terminals, rolling stock, equipment, income, tolls, revenues, sources of money, rights, powers, privileges, franchises and all other properties and assets of or belonging to the railway, as the Commission in its sole discretion shall deem to be in the best interests of the railway and of the holders of said bonds, anything contained in this agreement to the contrary notwithstanding, and the Commission may assign and transfer to and vest in the said Trustee for the holders of the bonds of the Commission all the rights, powers, privileges and remedies conferred upon the Commission under this agreement and all benefit and advantage to be derived therefrom; and in the event that the Commission shall make default in payment of the principal of or interest on its bonds or in payment of the sinking fund provided in respect of its bonds, or in any other particular whatsoever under the Trust Indenture securing its bonds, and the Trustee thereof shall have determined or become bound to enforce the same and shall have declared to be due and payable the principal and interest of the bonds of the Commission issued under said Agreement, Trust Indenture or other document and all other moneys secured thereby, the Corporations jointly and severally agree with the Commission that upon notification from the Commission and/or said Trustee they will pay to said Trustee for the benefit of the holders of the bonds of the Commission secured by said Agreement, Trust Indenture or other document the principal, interest and premium, if any, of and on the said bonds thereby secured and then outstanding and all other moneys secured thereby without prejudice, however, to the rights of the respective Corporations, upon such payment being made by any or all of them to recover from any Corporation or Corporations parties hereto such sum or sums as the Commission may in its discretion deem equitable, provided that such Trustee before enforcing the obligations of the said Corporations as herein

above provided may sell or otherwise dispose of any or all of the said debentures lodged, pledged, hypothecated, charged or mortgages as aforesaid as may be necessary, together with any accumulated sinking fund on hand, to repay in full the principal, interest and premium, if any, of and on the said bonds of the Commission and all other moneys secured by said Agreement, Trust Indenture or other document, and in the event of such proceeds being insufficient to meet the payments aforesaid the Corporations jointly and severally agree with the Commission that upon notification from the Commission and/or said Trustee of the amount of such deficit they will, without prejudice to their respective rights as aforesaid, pay to said Trustee the amount of such deficit and for the purpose of recovering from the Corporations or any of them any sum or sums due by them or any of them to said Trustee as aforesaid, the said Trustee shall have all the rights and remedies provided for in the *Execution Act;*

(*g*) The By-laws of the Corporations authorizing the issue of the debentures to be deposited with the Commission under this agreement shall in each case provide for the raising in each year during the currency thereof, of the annual interest thereon and in each year commencing at the expiration of ten years from the date thereof and continuing throughout the currency of said debentures, a specific sum which with the estimated interest at a rate not exceeding four per cent. per annum capitalized yearly will be sufficient to pay the principal of the said debentures at maturity; provided that in any year in which the Commission shall have paid the whole or any part of the interest and shall have set aside the whole or any lesser proportion of the sinking fund required to be set aside by it as hereinbefore provided in respect to bonds issued by it and for which such debentures have been pledged as collateral security, the respective amounts to be raised by such Corporations for any year shall be reduced in the proportion which the amount of interest so paid or the amount of sinking fund so set aside by the Commission bears to the amount required to be paid and set aside by the Commission as aforesaid; and any interest and sinking fund moneys required to be raised by the Corporations hereunder shall be paid to the Commission or in the event of the Commission having pledged said debentures to a Trustee as aforesaid shall be paid to said Trustee for the holders of the bonds of the Commission and shall be added to the sinking fund of the Commission under the Trust Deed securing the said bonds, and the said Trustee may apply any such sinking fund so received toward the payment or retirement of any bonds of the Commission under the terms of the said Trust Deed; provided further that in the event that the said Trustee shall enforce the Trust Deed and sell or otherwise dispose of any or all of the debentures of the Corporations mortgaged, hypothecated or pledged thereunder to provide the necessary moneys required for the payment of the principal, interest and/or premium of the bonds of the Commission after the application of the sinking fund moneys then available in the hands of the Trustee, the Corporations shall in each year thereafter in lieu of the annual sinking fund payments provided for under the respective By-laws authorizing the issue of their debentures so disposed of levy for sinking fund such amounts as shall be sufficient to meet at maturity the debentures so sold or otherwise disposed of; and provided further that any sinking fund monies raised by any Corporation in respect of that portion of its debentures if any which have been sold or otherwise disposed of by the Commission and/or by the said Trustee hereunder shall not be paid to the Commission or to the Trustee and shall be retained and dealt with by such Corporation to repay at maturity the debentures so sold or otherwise disposed of, in the manner provided by *The Consolidated Municipal Act, 1922;*

(*h*) Debentures issued and debts contracted by any Corporation pursuant to this agreement shall not be included in ascertaining the limits of the borrowing powers of the Corporation as prescribed by *The Consolidated Municipal Act, 1922*, and debentures may be issued and debts contracted by the Corporations for the purposes mentioned in this agreement notwithstanding the limitations prescribed by *The Consolidated Municipal Act, 1922.*

5. Should any Corporation fail to perform any of the obligations to the Commission under this agreement, the Commission may, in addition to all other remedies and without notice, discontinue the service of the

railway to such Corporation in default until the said obligation has been fulfilled, and no such discontinuance of service shall relieve the Corporation in default from the performance of the covenants, provisos and conditions herein contained.

6. In case the Commission shall at any time or times be prevented from operating the railway or any part thereof by strike, lockout, riot, fire, invasion, explosion, act of God, or the King's enemies, or any other cause reasonably beyond its control, then the Commission shall not be bound to operate the railway or such part thereof during such time; but the Corporations shall not be relieved from any liability or payment under this agreement and as soon as the cause of such interruption is removed the Commission shall, without any delay, continue full operation of the railway, and each of the Corporations shall be prompt and diligent in doing everything in its power to remove and overcome any such cause or causes of interruption.

7. It shall be lawful for and the Corporations hereby authorize the Commission to unite the business of the railway with that of any other railway system operated in whole or in part by the Commission and to acquire, equip and operate buses and/or bus lines either instead of any line or lines of the railway or by way of extension wherever it may appear to the Commission advantageous and profitable from time to time and to exchange equipment and operators from one system to another, proper provision being made so that each system shall pay its proportionate share as adjusted by the Commission of the cost of any equipment used in common; provided that as part of any line of railway constructed or operated by the Commission, the Commission may purchase, lease or obtain running rights over, any steam railway, electric or street railway or bus line or any part thereof.

8. If at any time any other Municipal Corporation applies to the Commission for an extension of the railway into its Municipality the Commission shall notify the applicant and the Corporations, in writing, of a time and place to hear all representations that may be made as to the terms and conditions relating to such proposed extension. Applications for extension into more than one Municipality may be heard and determined at one time. If, on the recommendation of the Commission, such extension shall be authorized, without discrimination in favour of the applicant, as to the cost incurred or to be incurred for or by reason of any such extension, the Commission may extend the railway upon such terms and conditions as may appear equitable to the Commission.

No such application for an extension of the railway into any Municipality the Corporation of which is not a party to this agreement shall be granted if it is estimated by the Commission that the cost of service of the railway to the Corporations parties hereto will be thereby increased or the revenue and accommodation be injuriously affected without the written consent of the majority of the Corporations parties hereto.

9. This agreement may be amended by the Commission and the Corporations with the consent of the Lieutenant-Governor-in-Council and the Corporations shall pass all such by-laws as may be necessary to authorize, confirm and carry out every such amendment, and every such amendment and this agreement as so amended shall have force and effect as if the said amendment had been originally part of this agreement and all by-laws passed and proceedings taken by the Corporations and by the Commission in connection therewith shall be as effective as if taken originally under or in connection with this agreement.

10. The Commission shall, at least annually, adjust and apportion between the Corporations the cost of acquisition, rehabilitation, construction, equipment, operation, interest, sinking fund, and also, the cost of renewing the property of the railway.

11. Every railway and all the works, property and effects held and used in connection therewith, acquired, constructed, operated and maintained by the Commission under this agreement and the said Act shall be vested in the Commission on behalf of the Corporations; but the Com-

mission shall be entitled to a lien upon the same for all money expended by the Commission under this agreement and not repaid.

12. Each of the Corporations covenants and agrees with the other:—

(*a*) To carry out the agreements and provisions herein contained;

(*b*) To co-operate by all means in its power at all times with the Commission to create the most favourable conditions for the carrying out of the objects of the agreement and of the said Act, and to increase the revenue of the railway and ensure its success.

13. In the event of any difference between the Corporations the Commission may, upon application, fix a time and place to hear all representations that may be made by the parties, and the Commission shall adjust such differences, and such adjustments shall be final. The Commission shall have all the powers that may be conferred upon a commissioner appointed under *The Act Respecting Enquiries Concerning Public Matters.*

14. This agreement shall continue and extend for a period of fifty years from the date hereof, and at the expiration thereof be subject to renewal, with the consent of the Corporations from time to time for like periods of fifty years, subject to adjustment and reapportionment as herein provided for the purposes of this agreement as though the terms hereof had not expired. At the expiration of this agreement the Commission shall determine and adjust the rights of the Corporations, having regard to the amounts paid or assumed by them respectively under the terms of this agreement and such other considerations as may appear equitable to the Commission and are approved by the Lieutenant-Governor-in-Council.

Provided that nothing herein contained shall in any way affect or impair the rights or obligations of the Corporations or any of them or of the Commission under this agreement in respect to bonds issued by the Commission during the currency of this agreement.

15. It is understood and agreed that the rates imposed for the share of the cost to be borne by those Municipalities listed in Schedule "C" attached hereto, shall be imposed upon the rateable property set forth respectively in the said Schedule.

16. This agreement shall not come into effect until it has been sanctioned by the Lieutenant-Governor in Council.

In witness whereof the Commission and the Corporations have respectively affixed their corporate seals and the hands of their proper officers.

SIGNED, SEALED AND DELIVERED
in the presence of:

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

.....
Chairman.

.....
Secretary.

THE MUNICIPAL CORPORATION OF

.....
Reeve (or Mayor).

.....
Clerk.

Schedule "A" to the Agreement.

ROUTE.

The railway extends in a general southeasterly direction from a location near the corner of Ouellette and Pitt Streets, Windsor to Leamington, being located on streets or public roads from Windsor to the intersection of the Michigan Central Railway, which railway is parallel on private right-of-way to Maidstone from which point the highways are used or parallelled through Essex, Cottam, Kingsville, Ruthven to Leamington.

SCHEDULE "B"

Name of Municipal Corporation	Total amount of debentures to be issued by respective municipalities for deposit with the Commission.
Township of Sandwich West	$45,000 00
Township of Sandwich East	45,990 00
Township of Sandwich South	35,870 00
Township of Maidstone	48,380 00
Township of Colchester North	20,660 00
Township of Gosfield North	84,460 00
Township of Gosfield South	111,740 00
Township of Mersea	41,590 00
Town of Essex	65,730 00
Town of Kingsville	85,210 00
Town of Leamington	128,760 00
City of Windsor	286,610 00
Total amount of bonds to be issued	$1,000,000 00

SCHEDULE "C"

(1) Township of Sandwich West:

That portion of the Township of Sandwich West described as follows: Commencing at the intersection of Tecumseh Road with the Huron Church Line Road; thence northeasterly along the Township boundary to the Town Line between the Townships of Sandwich East and Sandwich West; thence southeasterly along the last-mentioned Town Line to its junction with the boundaries of the Townships of Sandwich East and Sandwich South; thence southerly along the boundary between the Townships of Sandwich West and Sandwich South to its junction with Road between lots 305 and 306 in the Township of Sandwich South; thence northwesterly to the junction of the Road between concessions 4 and 5 with the Huron Church Line Road; thence northwesterly along the Huron Church Line Road to the point of commencement.

(2) Township of Sandwich East:

That portion of the Township of Sandwich East bounded on the Northwest by the Border Cities, on the Northeast by Pillette Road, on the Southeast and Southwest by the Township Boundary.

(3) Township of Sandwich South:

That portion of the Township of Sandwich South described as follows: Commencing at the junction of the boundaries of the Townships of Sandwich West, Sandwich East and Sandwich South; thence northeasterly to the eastern boundary of the Township; thence southerly along last-mentioned eastern boundary to the southerly boundary of the Township; thence westerly along last-mentioned southerly boundary to its intersection with the Pere Marquette Railway; thence northerly along said railway in concession 7 to the northerly limit of said concession; thence westerly along last-mentioned limit and its production to the boundary between the Townships of Sandwich West and Sandwich South; thence northerly along last-mentioned boundary to the point of commencement.

(4) Township of Maidstone:

That portion of the Township of Maidstone described as follows: Commencing at the junction of the boundaries of the Townships of Sandwich South, Maidstone and Colchester North; thence northerly along the boundary between the Townships of Sandwich South and Maidstone to the southerly limit of concession 9; thence easterly along the southerly limit of concessions 9, 8, 7, 6 and 5 to the Road between lots 12 and 13; thence southerly along last-mentioned Road to the northerly limit of lot 24; thence easterly along last-mentioned limit to the Road between concessions 1 and 2; thence southerly along last-mentioned Road to the southerly boundary of the Township; thence westerly along last-mentioned southerly boundary to the point of commencement.

(5) Township of Colchester North:

That portion of the Township of Colchester North described as follows: Commencing at the junction of the boundaries of the Townships of Maidstone, Gosfield North and Colchester North; thence southerly along the easterly boundary of the Township of Colchester North to the northerly limit of concession 10; thence southwesterly along last-mentioned northerly limit of concession 10 to the Road between lots 25 and 26; thence northwesterly along last-mentioned Road to the southeasterly limit of concession 12; thence westerly to the junction of the Road between concessions 12 and 13 with Road between lots 12 and 13; thence westerly to the junction of the Road

between concessions 13 and 14 with the Road between lots 8 and 9; thence northwesterly to the northerly Township boundary at its junction with the Road between concessions 9 and 10 in the Township of Sandwich South; thence easterly along Township boundary to the point of commencement.

(6) Township of Gosfield North:

That portion of the Township of Gosfield North described as follows: Commencing at the junction of the boundaries of the Townships of Maidstone, Gosfield North and Colchester North; thence easterly along the northerly boundary of the Township of Gosfield North to the Road between lots 12 and 13; thence southerly along last-mentioned Road to the Road between concessions 10 and 11; thence easterly along last-mentioned Road to the Road between lots 18 and 19; thence southerly along last-mentioned Road to the Road between concessions 6 and 7; thence easterly along last-mentioned Road to the Road between lots 18 and 19; thence southerly along last-mentioned Road to the Township boundary; thence westerly along Township boundary to the westerly boundary of Township; thence northerly along last-mentioned boundary to the point of commencement.

(7) Township of Gosfield South:

All of the Township of Gosfield South.

(8) Township of Mersea:

That portion of the Township of Mersea described as follows: Commencing at the intersection of the westerly boundary of the Township with the shore of Lake Erie; thence northerly along said westerly boundary to the Road between concessions 4 and 5; thence easterly along last-mentioned Road to the Road between lots 232 and 233; thence southerly along last-mentioned Road to the northwesterly limit of concession 2; thence southwesterly along last-mentioned limit to the northerly limit of concession 1; thence easterly along last-mentioned limit to the Road between lots 12 and 13; thence southerly along last-mentioned Road to the shore of Lake Erie; thence westerly following the shore of Lake Erie to the point of commencement.

(9) Town of Essex:

All of the Town of Essex.

(10) Town of Kingsville:

All of the Town of Kingsville.

(11) Town of Leamington:

All of the Town of Leamington.

(12) City of Windsor:

All of the City of Windsor.

Ontario.
18 George V, 1928.

BILL.

An Act to authorize the Purchase and Operation of the Windsor, Essex and Lake Shore Rapid Railway.

1st Reading

March 9th, 1928.

2nd Reading

3rd Reading

MR. POISSON.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 63. 1928.

BILL

An Act respecting The Young Men's Christian Association of St. Catharines.

Preamble.

WHEREAS The Young Men's Christian Association of St. Catharines has by its petition represented that the said association was incorporated in the year 1891 under an Act respecting Benevolent, Provident and other Societies; and whereas the said association has by its petition prayed that an Act may be passed to confirm its said incorporation and to extend its powers as hereinafter set out; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Young Men's Christian Association of St. Catharines Act, 1928.*

Incorporation confirmed.

2. The incorporation of The Young Men's Christian Association of St. Catharines is confirmed and the association is declared to be a body corporate and politic under the name of "The Young Men's Christian Association of St. Catharines," hereinafter referred to as the "association."

Objects of association.

3. The objects of the association shall be the spiritual, mental, social, educational and physical welfare and improvement of young men and boys by the erection, operation, maintenance and support of buildings, rooms, libraries, gymnasia, swimming pools, dormitories, restaurants, cafeterias, athletic quarters and grounds, aquatic facilities, recreational facilities, summer camps, the holding, maintenance and support of meetings, lectures and educational instruction and courses and by such other means as may from time to time be determined upon.

Power to establish branches.

4. The association may establish branch associations in the city of St. Catharines and in the vicinity of the said city; and also may co-operate with and enter into agreements with The Young Women's Christian Association of St. Catharines

for such mutual purposes and in such manner as may from time to time be determined upon.

Constitution and by-laws confirmed.

5. The constitution and by-laws heretofore adopted by the association and now in force are declared to be the constitution and by-laws of the association and shall remain in force until the same are repealed or amended in accordance with the provisions thereof.

Officers and directors.

6. The officers and directors of the association in office at the time of the passing of this Act shall be the officers and directors of the association and shall continue in their respective offices until their successors are elected or appointed in accordance with the constitution and by-laws of the association.

Vesting of property.

7. All property, real and personal, belonging to or held in trust for the association shall henceforth be vested in the association to be held, used, administered and disposed of, subject to the provisions of this Act, in accordance with the constitution and by-laws of the association.

Property liable for existing debts.

8. The association and all its property shall remain liable for the payment or satisfaction of any debts or obligations heretofore contracted or incurred in the same manner and to the same extent as if this Act had not been passed.

Power to acquire and dispose of real estate.

9. The association may acquire and hold in the city of St. Catharines and in the vicinity thereof any real property or any estate or interest therein either by purchase, lease, gift, devise or bequest, either absolutely or in trust, and may sell, transfer, exchange, mortgage, hypothecate, lease or otherwise alienate or dispose of the same or any part thereof and apply the proceeds of any such property for its purposes.

Proviso.

Provided that no land at any time acquired by the association and not required for its actual use and purposes or by way of security for the payment of any loan, debt or guarantee, shall be held by it or by any trustee on its behalf for a longer period than seven years after it shall cease to be so required, but this proviso shall not be deemed in any wise to vary or otherwise affect any trust relating to such property.

Exemption from taxation.

10. The buildings, lands, equipment, and undertaking of the association, so long as the same are occupied by and used for the purposes of the association shall be and the same are hereby declared to be exempt from taxation except for taxation for local improvements and school purposes.

Borrowing.

11. The association may borrow money for its purposes upon its credit and may mortgage, hypothecate or pledge any of its property, real or personal, as security for any loan.

12. The association may establish an endowment fund or funds for any of its purposes and may create such funds out of its own moneys or securities for moneys and out of any subscriptions, gifts, donations and bequests under such trusts, regulations and conditions in respect thereto as may from time to time be determined by the board of directors of the association. Endowment fund.

13. The association may lend, invest and re-invest any of its funds and moneys in any securities authorized by law as investments for trust funds. Loaning.

14. The association may establish, aid or support such systems or courses of technical, vocational or trades education as the board of directors of the association may from time to time determine. Technical education.

15. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario.
18 George V, 1928.

BILL.

An Act respecting The Young Men's Christian Association of St. Catharines.

1st Reading

2nd Reading

3rd Reading

MR. GRAVES.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 64. 1928.

BILL

An Act respecting The Young Women's Christian Association of St. Catharines.

Preamble.

WHEREAS the several persons named in section 2 of this Act have prayed that an Act be passed to incorporate The Young Women's Christian Association of St. Catharines as a body corporate and politic for the purposes and with the powers as hereinafter provided; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Young Women's Christian Association of St. Catharines Act, 1928*.

Incorporation.

2. I. Gertrude Bunting, Clara E. Burgoyne, Reva M. English, Daisy Dean Gain, I. Louise Harkness, Minerva K. Jones, Kate Leonard, Mary D. McCalla, Alice McLean, J. Irene Newman, Beatrice Robinson, Margaret Schofield, Irene E. Veale, Flora A. Walker, Anne Wright and Gwendolyn Mulock, all of the city of St. Catharines, and such other persons as now are or hereafter shall become members thereof, shall be and they are hereby constituted a body politic and corporate under the name of "The Young Women's Christian Association of St. Catharines" hereinafter referred to as the "association."

Board of directors.

3. The said I. Gertrude Bunting, Clara E. Burgoyne, Reva M. English, Daisy Dean Gain, I. Louise Harkness, Minerva K. Jones, Mary D. McCalla, Alice McLean, J. Irene Newman, Beatrice Robinson, Margaret Schofield, Irene E. Veale, Flora A. Walker, Anne Wright and Gwendolyn Mulock, who have formed the provisional board of directors, shall be and form the first board of directors of the association and they shall severally hold office as directors until their successors are elected in accordance with the constitution and by-laws of the association; and the officers who have been appointed by the said provisional board of directors shall

continue to hold their respective offices until their successors are appointed in accordance with the said constitution and by-laws.

Constitution and by-laws.

4. The board of directors shall adopt a constitution and by-laws for the association and shall submit the same for confirmation and adoption at the first annual general meeting of members of the association and such constitution and by-laws when so confirmed and adopted or as the same may then be amended shall be the constitution and by-laws of the association and shall remain in force until the same are repealed or amended in accordance with the provisions thereof.

Objects of association.

5. The objects of the association shall be the spiritual, mental, social, educational and physical welfare and improvement of young women and girls by the erection, operation, maintenance and support of buildings, rooms, libraries, gymnasia, swimming pools, dormitories, restaurants, cafeterias, athletic quarters and grounds, aquatic facilities, recreational facilities, summer camps, the holding, maintenance and support of meetings, lectures and educational instruction and courses and by such other means as may from time to time be determined upon.

Power to establish branches.

6. The association may establish branch associations in the city of St. Catharines and in the vicinity of the said city; and also may co-operate with and enter into agreements with The Young Men's Christian Association of St. Catharines for such mutual purposes and in such manner as may from time to time be determined upon.

Vesting of property.

7. All property real and personal belonging to or held in trust for the association shall henceforth be vested in the association to be held, used, administered and disposed of, subject to the provisions of this Act, in accordance with the constitution and by-laws of the association.

Power to acquire and dispose of real estate.

8. The association may acquire and hold in the city of St. Catharines and in the vicinity thereof any real property or any estate or interest therein either by purchase, lease, gift, devise or bequest, either absolutely or in trust, and may sell, transfer, exchange, mortgage, hypothecate, lease or otherwise alienate or dispose of the same or any part thereof and apply the proceeds of any such property for its purposes. Provided that no land at any time acquired by the association and not required for its actual use and purposes or by way of security for the payment of any loan, debt or guarantee, shall be held by it or by any trustee on its behalf for a longer period than seven years after it shall cease to be

Proviso.

so required, but this proviso shall not be deemed in any wise to vary or otherwise affect any trust relating to such property.

Exemption from taxation.

9. The buildings, lands, equipment, and undertaking of the association, so long as the same are occupied by and used for the purposes of the association, shall be and the same are hereby declared to be exempt from taxation except for taxation for local improvements and school purposes.

Borrowing.

10. The association may borrow money for its purposes upon its credit and may mortgage, hypothecate or pledge any of its property, real or personal, as security for any loan.

Endowment fund.

11. The association may establish an endowment fund or funds for any of its purposes and may create such funds out of its own moneys or securities for moneys and out of any subscriptions, gifts, donations and bequests under such trusts, regulations and conditions in respect thereto as may from time to time be determined by the board of directors of the association.

Loaning.

12. The association may lend, invest and re-invest any of its funds and moneys in any securities authorized by law as investments for trust funds.

Technical education.

13. The association may establish, aid or support such systems or courses of technical, vocational or trades education as the board of directors of the association may from time to time determine.

Commencement of Act.

14. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario,
18 George V, 1928.

BILL.

An Act respecting The Young Women's Christian Association of St. Catharines.

1st Reading

2nd Reading

3rd Reading

MR. GRAVES.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 65. 1928.

BILL

An Act respecting the City of Fort William and McKellar General Hospital.

Preamble.

WHEREAS the corporation of the city of Fort William and McKellar General Hospital have by their petition represented that the city of Fort William has, under the authority of the Act passed in the eighth year of the reign of His late Majesty King Edward the Seventh and chaptered 80, guaranteed payment of the principal and interest of bonds of McKellar General Hospital issued for hospital purposes, that no provision has been made for payment of the said bonds; that the council of the corporation of the city of Fort William for the purpose of enabling McKellar General Hospital to raise the moneys required to pay off part of the said bonds amounting to $85,000, which become due on the 1st day of May, 1928, on the 24th day of January, 1928, after obtaining the assent of the electors qualified to vote on money by-laws, passed By-law number 2793 to authorize the said corporation to guarantee the payment of the principal and interest of bonds of McKellar General Hospital to the extent of $88,000, payable within twenty years from the date of issue thereof and bearing interest at four and one-half per centum per annum, payable half yearly, the said bonds to be secured by a mortgage (subject to present registered encumbrances) on the hospital property in favour of a trust company satisfactory to the council; that doubts have arisen as to the power of McKellar General Hospital to issue bonds to provide the money to pay the bonds heretofore issued by it for hospital purposes, and as to the validity of the said by-law, and it is desirable that McKellar General Hospital should be authorized to issue bonds to provide the moneys required to pay any bonds heretofore issued by it for hospital purposes, and that the corporation of the city of Fort William should be authorized to guarantee the payment of the principal and interest of any such bonds, and that the said by-law and any bonds issued by McKellar General Hospital and guaranteed by the corporation of the city of Fort William, pursuant to the said by-law, should be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Power to issue bonds to retire those outstanding.

1.—(1) That McKellar General Hospital had power to and may from time to time issue bonds, secured by mortgage (subject to existing encumbrances) upon the property of the hospital, payable within such time and bearing interest at such rate as the hospital may determine, for such amounts as may be necessary to raise the moneys required to pay any bonds heretofore issued by the said hospital for hospital purposes, pursuant to the provisions of the said Act, and to discharge the mortgages given by it as security for the repayment of the said bonds or any of them, and any mortgage which has heretofore been or may hereafter be made by the said hospital to secure the repayment of any of the said bonds shall be valid and binding upon the said hospital according to its terms.

(2) Such mortgage shall provide for the payment by the hospital to the city of Fort William or to the trustee named in such mortgage in each year of a specific sum which, with the estimated interest at a rate not exceeding four per cent. (4%) per annum capitalized yearly, will be sufficient to pay the principal of the bonds referred to in the said mortgage at maturity.

Power of city to guarantee bonds.

2. That the council of the corporation of the city of Fort William may from time to time, with the assent of the electors qualified to vote on money by-laws, aid McKellar General Hospital by guaranteeing the principal and interest of any bonds issued by the said hospital for the purposes aforesaid, and the said corporation may take from the said hospital any security which it may deem advisable therefor.

By-law No. 2793, confirmed.

3. That By-law number 2793, passed by the council of the corporation of the city of Fort William on the 24th day of January, 1928, is hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Confirmation of bonds.

4. Any bond issued by McKellar General Hospital for the purpose aforesaid, the payment of the principal and interest of which is guaranteed by the corporation of the city of Fort William, pursuant to the provisions of the said By-law number 2793 or of any other by-law hereafter passed by its council with the assent of the electors qualified to vote on money by-laws, shall be legal, valid and binding upon McKellar General Hospital and upon the corporation of the

city of Fort William, as maker and guarantor thereof respectively.

Commencement of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

An Act respecting the City of Fort William and McKellar General Hospital.

1st Reading

March 13th, 1928.

2nd Reading

3rd Reading

MR. SPENCE.

(*Private Bill.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 66. 1928.

BILL

An Act to establish a Research Foundation in Ontario.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Research Foundation Act, 1928.*

Establishment of Foundation.

2. There shall be established a corporation to be known as the Ontario Research Foundation, hereinafter called the "Foundation" which shall consist of such persons as may from time to time be designated by the Lieutenant-Governor in Council to be members of the Foundation.

Objects of Foundation.

3. The objects of the Foundation shall be the carrying on of research work and investigations having for their purposes,—

(*a*) the improvement and development of manufacturing and other industries by the introduction of advanced methods and processes;

(*b*) the discovery and better development of the natural resources of the Province and the discovery and utilization of the by-products of any processes in treating or otherwise dealing with the mineral, timber and other resources of the Province;

(*c*) the development and improvement of methods in the agricultural industry and the betterment, welfare and progress of farm life;

(*d*) scientific research and investigation for the mitigation and abolition of disease in animal or vegetable life and the destruction of insect or parasitic pests;

(*e*) generally the carrying out, with the approval or under the direction of the Lieutenant-Governor in Council, of any other research work or investigation which may be deemed expedient.

Applications for investigation of problems.

4. Subject to any general regulations in that behalf which may be made by the Lieutenant-Governor in Council, the Foundation may receive applications from any person or from any group of persons for the investigation and solution by the Foundation of any problems which present themselves in any manufacturing, mining, labouring or other industrial process, upon such terms as to the payment of the expenses of any such work as may be agreed upon in accordance with the regulations.

Chairman and vice-chairman.

5.—(1) The Lieutenant-Governor in Council may appoint one of the members to be the chairman of the Foundation and another member to be vice-chairman.

Powers of chairman.

(2) The chairman shall preside at all meetings of the Foundation and shall have the control and direction of the administration of the Foundation and of the members and staff of the Foundation.

Powers of vice-chairman.

(3) In the absence of the chairman, or at his request, the vice-chairman shall preside at the meetings of the Foundation and shall have and may exercise the powers of the chairman.

Subscribers to Foundation.

6.—(1) The Foundation may enter into an agreement in writing with such persons as may desire to become subscribers to the Foundation for receiving from such persons subscriptions of money in sums of $100, or multiples thereof, until the sum of $1,000,000 has been subscribed.

Report of work to be furnished to subscribers.

(2) The subscribers to the Foundation shall be entitled to receive, from time to time, reports of the work carried on by the Foundation and to make suggestions from time to time as to the nature of the research work and investigations to be pursued by the Foundation and the methods to be used therein.

Time for payment of subscriptions.

(3) Twenty per centum of the subscription shall be paid at the time of subscribing and twenty per centum in each of the four years next following the subscription, upon a day to be named by the Foundation.

Payment up of subscriptions and contributions by Government.

7. So soon as the chairman shall certify in writing to the Lieutenant-Governor in Council that the sum of $1,000,000 has been subscribed and the sum of $200,000 has been paid thereon, the Treasurer of Ontario may pay to the Foundation

the sum of $200,000 out of any moneys appropriated by the Legislature for that purpose and thereafter, in each of the four following years, when the chairman shall certify that the sum of $200,000 has been paid the Treasurer of Ontario may pay an equivalent sum to the Foundation. Amounts to be subscribed by Province.

8. The Foundation may acquire by purchase or lease, or may enter upon, take and use without the consent of the owner thereof, any land and buildings which may be deemed suitable for the purposes of the Foundation and may erect buildings, acquire and instal machinery and equipment and purchase all such instruments, materials and appliances and other matters and things as may be deemed necessary, provided that such lands and buildings so purchased, leased or taken, and the plants and other buildings to be erected by the Foundation shall be first approved by the Lieutenant-Governor in Council. Power to expropriate land and erect buildings.

9. The Foundation shall hold meetings from time to time for the purpose of informing the subscribers and the public of the work being carried on by the Foundation and as to any new development, industrial, agricultural or scientific research in which the Foundation may be interested and shall make an annual report of its proceedings, including a statement of the receipts and expenditures of the Foundation in such form as the Lieutenant-Governor in Council may require and such report shall be laid before the Legislative Assembly at its first meeting thereafter. Meetings. Annual report.

10. Whenever the Foundation exercises the power to enter upon, take or use lands without the consent of the owner thereof, *The Public Works Act* shall apply *mutatis mutandis* and the procedure shall be, as nearly as may be, that provided in *The Public Works Act* where land is taken for the use of the Province. Application of Rev. Stat. c. 52.

11. The Lieutenant-Governor in Council may make regulations for the better carrying out of the provisions of this Act and the powers and duties of the Foundation as herein set out shall be exercised subject to such regulations. Regulations.

12. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

2nd Session, 17th Legislature,
Ontario.
18 Geo. V, 1928.

BILL.

An Act to establish a Research Foundation in Ontario.

1st Reading,

February 10th, 1928.

2nd Reading

3rd Reading

MR. FERGUSON.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 67. 1928.

BILL

An Act respecting the Training of Apprentices.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Apprenticeship Act, 1928*. Short title.

2. In this Act,— Interpretation.

(*a*) "Apprentice" shall mean a minor at least sixteen years of age who enters into a contract of service in accordance with this Act, whereby he is to receive from or through his employer, in whole or in part, instruction in any industry, trade, craft or business; "Apprentice".

(*b*) "Employer" shall mean and include in relation to an apprentice, any person, firm or corporation, or municipal, provincial or other public authority to whom an apprentice is or is proposed to be bound in accordance with this Act, by contract of apprenticeship in any designated trade; "Employer".

(*c*) "Inspector" shall mean Inspector of Apprenticeship appointed under this Act; "Inspector".

(*d*) "Minister" shall mean Minister of Labour; "Minister".

(*e*) "Regulations" shall mean regulations made by the Lieutenant-Governor in Council under the authority of this Act; "Regulations".

(*f*) "Trade" shall include industry, trade, craft or business and any branch of any industry, trade, craft or business. "Trade".

3. The provisions of this Act shall apply in respect of apprenticeship in any trade specified in schedule "A" of this Act and every such trade is hereinafter referred to as a "designated trade." Application of Act to designated trades.

Petition to have trade included in Sched. "A".

4.—(1) Upon receiving a petition signed by at least twenty-five employers in any trade asking to have such trade added to schedule "A" the Minister shall direct the Inspector to inquire into the matter of the petition and the Inspector shall thereupon make such investigation as may be deemed necessary to determine whether or not such trade shall be added to schedule "A.".

(*a*) Nothing in this section shall prevent the Minister from directing such an investigation by the Inspector upon his own motion.

Adding to designated trades.

(2) The Lieutenant-Governor in Council upon the recommendation of the Minister, may from time to time add to schedule "A" such other trades as may be deemed expedient.

Inspector of Apprenticeship and staff.

5.—(1) The Lieutenant-Governor in Council may appoint an Inspector of Apprenticeship for the purpose of carrying out the provisions of this Act and may also appoint such other officers or clerks as may be deemed necessary or expedient.

Minister to be in charge.

(2) The Inspector and such officers and clerks shall be under the direction and control of the Minister who shall be charged with the administration of this Act.

Duties of Inspector.

6. Subject to the regulations it shall be the duty of the Inspector,—

(*a*) to keep a register of every contract entered into by an apprentice;

(*b*) to make such examination and enquiry as may be necessary to ascertain whether the provisions of this Act are being complied with by both employer and apprentice;

(*c*) to arouse and promote interest in the adoption of apprenticeship in industries;

(*d*) to assist in establishing a permanent system of training of apprentices in any industry;

(*e*) to provide such information as may be required by apprenticeship committees;

(*f*) to collaborate with educational authorities in the training of apprentices;

(*g*) to submit a report annually to the Minister;

(*h*) generally to perform such other duties and exercise such powers as may be prescribed by the Minister for carrying out the provisions of this Act.

Contracts to be in accordance with Act.

7. After the commencement of this Act, no person shall enter into any contract of apprenticeship in a designated trade except in accordance with the provisions of this Act.

Employment without contract of apprenticeship.

8.—(1) A minor shall not be employed in any designated trade for a longer period than three months except under a contract of apprenticeship in accordance with this Act.

Exception.

(2) Subsection 1 shall not apply to a minor who has already completed the period of apprenticeship customary in the designated trade.

Form of contract

9.—(1) Every contract of apprenticeship shall be in the form set out in schedule "B" of this Act, except that the Minister may upon the recommendation of an apprenticeship committee authorize the variation of such form to suit the special circumstances of any particular designated trade.

Approval and registration of contract.

(2) The contract shall not be of any force or effect until it has been approved of by the apprenticeship committee and the Inspector by writing endorsed thereon, and has been registered by the Inspector in the manner prescribed by the regulations.

Term of contract.

(3) A contract of apprenticeship under this Act shall not be entered into for a period of less than two years.

Minor employed under contract before commencement of Act.

10. Where a minor has been employed under a contract of apprenticeship in any designated trade prior to the date of the commencement of this Act, such contract shall within three months after the said date be registered at the office of the Inspector, but such contract shall in other respects be regarded as if this Act had not been passed.

Minor employed without contract at commencement of Act.

11. Where a minor is employed as an apprentice in a designated trade, but not under a contract, the provisions of this Act shall in relation to any unexpired period of such apprenticeship apply as from the expiry of three months after the commencement of this Act and the period during which any such minor was employed as an apprentice may, with the approval of the apprenticeship committee, be allowed as part of the time required to complete the full period of apprenticeship.

Signatures to contract of apprenticeship.

12. Every contract of apprenticeship shall be signed,—

(*a*) by the minor to be apprenticed;

(*b*) by the father of the minor, and if the father be dead or legally incapable of giving consent or has abandoned his family, then

(*c*) by the mother of the minor, and if both the father and mother are dead or legally incapable of giving consent, then

(*d*) by the guardian of the minor, if any; or

(*e*) if there be no parent or guardian with authority to sign, then by the judge or junior or acting judge of the county or district court of the county or district in which the employer carries on business; and

(*f*) by the employer.

Discretion of Inspector as to registration.

13.—(1) The Inspector may refuse to register any contract of apprenticeship which is not in his opinion for the benefit of the apprentice.

Dispute as to approval of contract.

(2) Where the apprenticeship committee approves a contract of apprenticeship but the Inspector refuses to register the same, the matter in dispute shall be referred to the Minister whose decision shall be final.

Registration not to validate contract.

14. The registration of a contract of apprenticeship shall not be regarded as a guarantee that all the provisions of the contract are valid or that any provision thereof is not in conflict with the provisions of this Act.

Termination of contract.

15. Subject to the approval of the Minister, a contract of apprenticeship may be terminated by mutual agreement of all parties thereto, or it may be cancelled by the Inspector, provided good and sufficient reason is adduced by the employer or apprentice or his guardian, and the fact of termination or cancellation shall be endorsed by the Inspector upon the copy of the contract registered in his office.

Transfer of contract.

16. Where the terms of a contract of apprenticeship cannot be fulfilled the Inspector may arrange for the transfer of the apprentice to another employer but such transfer shall not be regarded as completely effected until it has been approved by the apprenticeship committee and registered.

Regulations.

17. The Lieutenant-Governor in Council may make regulations,—

(*a*) to establish for any defined area, an apprenticeship committee or committees to advise the Minister on

all matters connected with the conditions governing apprenticeship in any designated trade within that area;

(*b*) prescribing the powers, duties and functions of apprenticeship committees relative to; the designation of any trade; the period or periods of apprenticeship; the qualifications upon which apprenticeship may commence in any designated trade; the standard of education for the apprentice; the nature and number of educational classes to be attended by the apprentice; the course of training to be given an apprentice in a designated trade; the number of apprentices that may be employed by an employer in a designated trade; the issuance of a certificate to an apprentice who has completed his term of service; fixing the hours of labour and rates of wages for apprentices; recommending such methods of assessment of employers as may be deemed necessary to maintain a system of apprenticeship in any industry or designated trade;

(*c*) specifying the number and qualifications of members of an apprenticeship committee, and fixing the period of appointment and the method of designating or appointing a chairman and other officers;

(*d*) governing the procedure of an apprenticeship committee at its meetings and the time and place of such meetings;

(*e*) providing for books, records and forms to be used by an apprenticeship committee; and

(*f*) generally such other matters as may be necessary for the proper carrying out of the provisions of this Act.

Secretary to committee.

18. The Minister may assign an officer in his Department to act as secretary to an apprenticeship committee.

Part time instruction under Rev. Sat. cc. 333 and 334.

19. Such courses of part or full time instruction in a school, collegiate or other educational institution as may be regulation under this Act be prescribed for the training of an apprentice shall conform to the provisions of *The Adolescent School Attendance Act* and *The Vocational Education Act*.

Expenses of committees.

20. The members of an apprenticeship committee shall serve without remuneration but the Lieutenant-Governor in Council may fix an allowance to be payable to such members on their attendance at meetings and in transacting the

business of apprenticeship committees, and all reasonable and necessary travelling and living expenses and all other expenses incurred by it in carrying out the provisions of this Act shall, when approved by the Minister, be payable out of such sums as may from time to time be appropriated by the Legislature for that purpose.

Offences and penalties

21. Every person who, after the commencement of this Act,—

(*a*) enters into a contract of apprenticeship in respect to any designated trade except in accordance with the provisions of this Act; or

(*b*) except as expressly provided by this Act employs any minor in a designated trade; or

(*c*) contravenes any of the provisions of this Act or any regulation made thereunder.

shall incur a penalty of not less than $10 nor more than $100 to be recovered on summary conviction before a police magistrate.

Commencement of Act.

22. This Act shall come into force on the day upon which it receives the Royal assent.

SCHEDULE "A"

DESIGNATED TRADES.

Building Trades including
(a) Bricklayer
(b) Mason
(c) Carpenter
(d) Painter and Decorator
(e) Plasterer.

SCHEDULE "B"

Form of Contract of Apprenticeship

This Contract of Apprenticeship made and entered into the.....day of.....19..... between..... (hereinafter called the Employer) of the first part, and..... .....a minor of the age of.....years, having been born on the.....day of.....19.....(hereinafter called the Apprentice) of the second part, and..... .....(insert name of parent or guardian or judge) of the third part,

Witnesseth:

1. That the party of the second part having been found medically fit, does of his own free will and with the consent of the party of the third part by these presents agree:—

(a) To bind himself as an Apprentice to the said Employer in the trade or occupation of..... ..... for a period of.....years commencing on the.....day of.....19....

(b) To serve faithfully, honestly and diligently the Employer and to obey all lawful and reasonable demands and requirements of the Employer or those duly placed in authority over him.

(c) Not to disclose or communicate to any person whomsoever any information relating to the business of the Employer.

(d) Not to be interested directly or indirectly, either as a paid agent or servant, in any business or undertaking other than that of the Employer.

(e) To attend, in accordance with the requirements of the Minister, such classes as may be decided upon by him for the purpose of receiving technical or other education.

2. That the Employer does by these presents agree:—

(a) To bind himself to receive the said Apprentice for the period stated and to teach efficiently or cause to be taught efficiently the said Apprentice in the trade or occupation specified.

(b) To refund to the said Apprentice the reasonable class fees expended on technical instruction where free instruction is not available, provided that the Apprentice has made not less than seventy-five per centum of the full number of prescribed attendances at the technical course, and provided that the principal of the technical institution has reported that satisfactory diligence has been shown by the Apprentice.

(c) To pay to the said Apprentice wages at the following rates, viz:—

For the first year the sum of $.....per.....
For the second year the sum of $.....per.....
For the third year the sum of $.....per.....
For the fourth year the sum of $.....per.....
For the fifth or any subsequent year the sum of $.....per.....

or at such other rates as may be decided upon from time to time by the Minister.

(d) To furnish annually a report on the progress and conduct of the Apprentice to the apprenticeship committee.

(e) To endorse and sign this contract on completion of the period of apprenticeship and to hand it over to the Apprentice as his property.

3. THAT it is further agreed between the parties to this contract that:—

(a) This contract may with the mutual consent of all parties be transferred to another Employer in the same trade, provided that the Employer or the Apprentice shows cause why he should not complete the contract, and provided that the Inspector assents to such transfer, and such transfer shall be effected by endorsement thereof on this contract signed by the parties thereto and endorsed on the copy of this contract filed in the office of registration, and upon such transfer taking place all parties thereto shall be bound by all the terms of this contract for the unexpired portion thereof.

(b) If the Employer has good grounds for belief that the Apprentice has committed a serious breach of the terms of this contract or that the Apprentice has or is conducting himself in an unseemly manner and contrary to good discipline, he may forthwith suspend the Apprentice and shall immediately report the matter to the Minister to be dealt with under the Act.

(c) If the Employer shall commit any serious breach of the terms of this contract the Apprentice may with the consent of the party of the third part report the matter to the Minister to be dealt with under the Act.

(d) The Minister shall be notified by both parties to this contract in the event of any alteration to the contract such as provided for in the last four preceding paragraphs.

IN WITNESS WHEREOF the contracting parties hereto have hereunder set their hands the day and year aforesaid.

AS WITNESSES:

1.....
2.....

.....
Employer

1.....
2.....

.....
Parent or Guardian

1.....
2.....

.....
Apprentice

REGISTERED at the office of the Inspector of Apprenticeship this .....day of.....19.....

.....
Inspector of Apprenticeship

To be filled in if Apprentice transfers to another Employer.

WITH the consent of all the parties to this contract the services of the Apprentice and the responsibilities of the Employer are hereby transferred to.....this.....day of.....19....

AS WITNESSES:

1.....
2.....

.....
Employer

1.....
2.....

.....
Employer

1.....
2.....

.....
Parent or Guardian

1.....
2.....

.....
Apprentice

REGISTERED at the office of the Inspector of Apprenticeship this .....day of.....19....

To be filled in on completion of the term of apprenticeship under this contract.

This is to certify that the within-named.....
.....has completed his apprenticeship under this contract, this.....day of.....19....

.....
Employer

2nd Session, 17th Legislature,
Ontario.
18 Geo. V, 1928.

BILL.

An Act respecting the Training of Apprentices.

1st Reading,

February 10th, 1928.

2nd Reading

3rd Reading

MR. FERGUSON.

TORONTO:
Printed by

No. 68. 1928.

BILL

An Act to provide for the Extension of University Avenue in the City of Toronto.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The University Avenue Extension Act, 1928*. Short title.

2.—(1) The corporation of the city of Toronto may undertake the extension of University Avenue from its present southerly terminus at Queen Street southerly or southeasterly to Fleet Street or at any point between Queen Street and Fleet Street in the city of Toronto and for that purpose the council of the said corporation may by by-law acquire and expropriate the land required for such extension and any other land within two hundred feet of either side of such extension so as to provide the said corporation with land on each side of such extension to a depth of not less than one hundred and fifty feet. Extension of University Avenue authorized.

(*a*) Provided that upon being satisfied that a less depth than one hundred and fifty feet will answer the purpose of the corporation and provide a suitable frontage, the Ontario Railway and Municipal Board may approve of the acquiring or taking of a lesser depth than one hundred and fifty feet in any particular case.

(2) The provisions of section 343 of *The Municipal Act* shall apply to a work undertaken under the provisions of subsection 1 to the same extent, as nearly as may be, as they apply to the widening of a highway under the provisions of *The Municipal Act* except that in the case of any work undertaken under the provisions of this Act any land acquired or expropriated by the said corporation for said work shall continue, until possession of same is actually given to the corporation, to be subject to taxation as if it had not been so acquired or expropriated, and except also that if the said Application of Rev. Stat. c. 233, s. 343. Exception.

council shall before the 1st day of January, 1930, pass a by-law under the provisions of subsection 1 of this section, the value of the land acquired or expropriated for the work, as defined in subsection 10 of the said section 343, shall for the purpose of determining the compensation payable therefor be fixed as of the date of the passing of this Act.

Debentures, issue of.

(3) The council of the corporation of the city of Toronto may from time to time, without the assent of the electors, pass by-laws to provide for the issue of debentures to the amount necessary to provide the cost of any work undertaken under the provisions of this Act bearing such rate of interest and payable in such manner and on such terms as may be approved by the Ontario Railway and Municipal Board.

How payable.

(4) The amount required to meet payments falling due from time to time on any debentures issued under this section, or interest thereon, shall be raised, levied and collected annually by a general special rate on all the rateable property in the city of Toronto and the debentures authorized to be issued by this Act shall not be included as part of the debt of the said corporation in estimating its borrowing powers.

Sale of new frontages on extension of University Avenue.

(5) Upon University Avenue being extended under the provisions of this Act the lands acquired by the said corporation on either side of University Avenue as so extended shall be sold, leased or otherwise disposed of by the said corporation upon such terms and conditions as may be fixed by by-law of the council of the said corporation with the approval of the Ontario Railway and Municipal Board and of the Lieutenant-Governor in Council, and all purchase moneys and rentals received for such lands shall be paid into the general funds of the corporation.

Validity of by-law.

(6) Whenever a by-law passed under this section has been approved as hereinbefore provided the by-law and any debentures issued or agreement entered into under the same shall be legal, valid and binding to all intents and purposes and shall not be open to question in any action or other proceeding upon any ground whatsoever.

Carrying extension over or under railway tracks.

3. Subject to the provisions of *The Dominion Railway Act* the council of the said corporation may by by-law provide for carrying such extension of University Avenue over or under the tracks of any railway or of any electric or street railway by viaducts, bridges or subways and the said corporation may enter into agreements for any such purpose with any commission, company or other body having control of the railway, street railway or electric railway and any cost incurred by the said corporation in carrying out the provisions

of any such by-law or agreement shall be deemed to be part of the cost of the extension of University Avenue for the purposes of this Act.

Regulating building and street traffic.

4. The council of the said corporation may from time to time pass by-laws,—

(*a*) for fixing the distance from the street line at which buildings may be erected on either side of University Avenue as so extended, the materials to be used in, and the height and character of such buildings and the purposes for which the same may be erected or used, and for prohibiting the erection or use of any building contrary to the provisions of such by-law.

(*b*) for regulating the traffic upon University Avenue as so extended and for prohibiting the use of same or any part of same by any designated class of vehicles, and for defining the days upon which, or the hours during which the said street may be used by any designated class of vehicles.

Agreement for removal of tracks from streets.

5. The council of the corporation of the city of Toronto may enter into an agreement with any commission or company operating any street railway or electric railway for the removal of its tracks, rails, wires, poles and other works from any street in the city of Toronto on such terms and conditions as may be deemed proper, but no such agreement shall have any force or effect until the same is approved by the Ontario Railway and Municipal Board.

Removal of tracks, etc., from approaches to Queen's Park.

6. The council of the corporation of the city of Toronto may by by-law provide for the removal of the tracks, rails, wires, poles and other works of any such commission or company from any street giving access to Queen's Park or intersecting University Avenue, or for carrying the rails or other works of any such commission or company over or under any such street by bridges, viaducts or subways and the by-law may prescribe the terms upon which any such renewal or alteration shall be made or any such bridge, viaduct or subway constructed, but no such by-law shall come into force or take effect until the same has been approved by the Ontario Railway and Municipal Board.

Commencement and effect of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent and shall have effect notwithstanding any by-law or agreement heretofore entered into notwithstanding anything contained in any general or special Act heretofore passed.

2nd Session, 17th Legislature,
Ontario.
18 Geo. V, 1928.

BILL.

An Act to provide for the Extension of University Avenue in the City of Toronto.

1st Reading

February 10th, 1928.

2nd Reading

3rd Reading

MR. FERGUSON.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 69. 1928.

BILL

An Act to amend The Mining Act, 1927.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Mining Act, 1928*. Short title.

2. Section 3 of *The Mining Act* is amended by adding thereto the following subsection: Rev. Stat. c. 45, s. 2, amended.

(2) Notwithstanding anything contained in this Act, applicants for mining lands who had prior to the 14th day of May, 1906, complied with the provisions of chapter 36 of the Revised Statutes, 1897, or regulations thereunder respecting applications for such lands, and whose applications were pending before the Department on such date, may be granted title to the same under this Act without staking them out as a mining claim or mining claims, and subject to such conditions as regards the quantity of land or performance of work as the Minister may deem proper. Saving as to applications for mining lands made prior to 14th May, 1906.

3. Subsection 1 of section 3 of *The Mining Act of Ontario*, being chapter 32 of the Revised Statutes of Ontario, 1914, which subsection was excepted from repeal by *The Mining Act, 1927*, is repealed. Rev. Stat. 1914, c. 32, s. 3, subs. 1, repealed.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario.
18 Geo. V, 1928.

BILL.

An Act to amend The Mining Act, 1927.

1st Reading

February 10th, 1928.

2nd Reading

3rd Reading

MR. FERGUSON.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 70. 1928.

BILL

An Act to amend The Natural Gas Conservation Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Natural Gas Act, 1928*. Short title.

2. Section 2 of *The Natural Gas Conservation Act* is amended by adding thereto the following subsection: Rev. Stat. c. 47, s. 2, amended.

(2) Where a mixture of natural gas and artificial gas is being supplied to consumers in a municipality, and the person supplying the same and the council of the municipality so request in writing, the Minister may by notice published in the *Ontario Gazette* declare that "natural gas produced in Ontario" and "natural gas" shall include for the purposes of this Act such mixture of natural gas and artificial gas. Mixture of natural and artificial gas.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

2nd Session, 17th Legislature,
Ontario.
18 Geo. V, 1928.

BILL.

An Act to amend The Natural Gas Conservation Act.

1st Reading

February 10th, 1928.

2nd Reading

3rd Reading

MR. FERGUSON.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 71. 1928.

BILL

An Act to amend The Trustee Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 26 of *The Trustee Act* is amended by striking out the words "or in securities which are a first charge on land held in fee simple in Ontario, Manitoba, Saskatchewan, Alberta or British Columbia," in the fifteenth and sixteenth lines and inserting in lieu thereof the words "or in securities which are a first charge on land held in fee simple in any Province of the Dominion of Canada." Rev. Stat. c. 150, s. 26, subs. 1, amended.

2. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario.
18 Geo. V, 1928.

BILL.

An Act to amend The Trustee Act.

1st Reading

February 10th, 1928.

2nd Reading

3rd Reading

MR. PRICE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty

No. 72. 1928.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 252 of *The Municipal Act* is repealed and the following substituted therefor: Rev. Stat. c. 233, s. 252, repealed.

252.—(1) Every qualified person elected to any municipal office shall take the declaration of office, where he is elected to fill a vacancy, within ten days after his election, and in other cases on or before the day fixed for holding the first meeting of the body to which he was elected, and in default he shall be deemed to have resigned. Declaration of office.

(2) All persons elected at the annual elections for 1928 who failed to take the declaration of office within twenty days after their election but who did take it on or before the day fixed for holding the first meeting of the body to which they were elected, shall be deemed to have taken such declaration within the prescribed time.

(*a*) This subsection shall not apply when a new election has been held in consequence of such failure or in consequence of any such person having resigned.

2. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario.
18 Geo. V, 1928.

BILL.

An Act to amend The Municipal Act.

1st Reading

February 10th, 1928.

2nd Reading

3rd Reading

MR. PRICE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 73. 1928.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Municipal Act* is amended by adding thereto the following section: Rev. Stat., c. 233, amended.

345*a*. The arbitrator may allow interest on the compensation at the rate of five per centum per annum from a day fixed by him. Interest on compensation.

2nd Session, 17th Legislature,
18 George V, 1928.

BILL.

An Act to amend The Municipal Act.

1st Reading,

February 13th, 1928.

2nd Reading

3rd Reading

MR. PRICE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 74. 1928.

BILL

An Act respecting the Licensing of Hawkers, Pedlars and Transient Traders.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 422 of *The Municipal Act*, is repealed and the following substitued therefor: Rev. Stat., c. 233, s. 422, repealed.

422. By-laws may be passed by the councils of counties and towns in unorganized territory having a population of not less than 2,000, and of separated towns, and of cities having a population of less than 100,000, and by the Board of Commissioners of Police of cities having a population of not less than 100,000.

Hawkers and Pedlars.

1. For licensing, regulating and governing hawkers, pedlars and petty chapmen, and other persons carrying on petty trades, or who go from place to place or to other men's houses on foot, or with an animal, vehicle, boat, vessel or other craft, bearing, drawing or otherwise carrying goods, wares or merchandise, for sale, or who go from place to place or to other men's houses to take orders for any goods, wares or merchandise to be delivered afterwards, and for requiring them to pay a license fee before commencing business,— Licensing hawkers, petty chapmen, etc.

(*a*) "goods" shall include wares and merchandise;

(*b*) "selling" shall include hawking, peddling and taking orders for goods to be delivered afterwards;

(*c*) the fee to be paid for the license shall not exceed the following scale but the by-law may provide in the case of "residents," that is, persons who have resided continuously in

the municipality for at least one year prior to the application for a license that the fee shall be one-half of that fixed by the by-law,—

	Towns	Other Municipalities
For a two-horse waggon or a motor vehicle of over ½ ton capacity, or a boat, vessel or other craft..	$50	$100
For a one-horse waggon or a motor vehicle of ½ ton capacity or less.....	$25	$50
For a pushcart.....	$10	$20
For a person travelling on foot carrying a pack or basket or otherwise carrying goods for sale.....	$10	$15
For a person going from place to place or to other men's houses to take orders for goods, to be delivered afterwards..	$10	$15

When by-law not to apply.

(*d*) The by-law shall not apply to the selling of,—

i. goods to a wholesale merchant or except as provided by paragraph 2 to a retail merchant;

ii. goods which are the manufacture of Ontario, if the same are sold by the individual who manufactured them;

iii. goods by a retail merchant occupying premises other than his residence, in the municipality for the purpose of his business who goes around to take orders for goods forming part of his stock in trade;

iv. goods by a farmer, market gardener or nurseryman which are the growth or

produce of his farm, market garden or nursery in Ontario if the same are sold by him or by his *bona fide* servants or employees, having written authority to do so, which authority shall be carried by such servant, or employee and exhibited when required by any municipal or peace officer;

v. goods to a farmer, market gardener, nurseryman or person assessed in respect of business in the municipality, which are required by such farmer, market gardener, nurseryman or person in carrying on and promoting his business and are not intended for re-sale;

vi. goods classed as newspapers, magazines, medical and scientific books, pianos, organs, sewing machines and motor vehicles.

License to be produced on demand.

(*e*) The licensee shall at all times while carrying on his business have his license with him, and shall upon demand, exhibit it to any municipal or peace officer, or to any person to whom he is offering goods for sale, and if he fails to do so shall, unless the same is accounted for satisfactorily, incur a penalty of not less than $1 or more than $10 and in a prosecution for a breach of the by-law the onus of proving that he does not for any of the reasons mentioned in clause *d* require to be licensed, shall be upon the person charged.

Power to arrest for not producing.

(*f*) If a municipal or peace officer demands the production of a license by any person to whom the by-law applies and the demand is not complied with, it shall be the duty of the peace officer, and he shall have power to arrest such person without a warrant and take him before the nearest justice of the peace, there to be dealt with according to law.

Application for license to contain certain information.

(*g*) Every applicant for a hawker's or pedlar's license shall as part of his application for such license furnish a statement in writing containing a full description of the kind of goods which he proposes to sell or offer for sale under such license.

Licensing, etc., dealers in fruits, etc., not the growth of Ontario.

2. For licensing, regulating and governing persons, not being wholesale merchants or farmers residing in Ontario who go from place to place or to a particular place to make sales or deliveries of fruits and garden produce to a retail dealer,—

(*a*) The fee to be paid for the license shall not exceed $150.

(*b*) The provisions of clauses *d*, *e*, *f* and *g* shall apply to any by-law passed under this paragraph.

Prohibiting sale of fruit, etc., on highways.

3. For prohibiting the sale of fruit, candy, peanuts, ice cream or ice cream cones from a basket or a waggon, cart or other vehicle upon any highway or part of it, or in any public park or other public place.

Not to apply to certain persons.

(*a*) The by-law shall not apply to a farmer, market gardener or other person selling or delivering goods of his own production at any place of business or residence upon such highway or part thereof.

Rev. Stat., c. 233, s. 429, pars. 5 and 6, repealed.

2. Paragraphs 5 and 6 of section 429 of *The Municipal Act*, are repealed and the following substituted therefor:

Transient Traders.

Licensing, etc., transient traders.

6. For licensing, regulating and governing transient traders and for requiring them to pay a license fee before commencing business,—

"Transient traders," what to include.

(*a*) "Transient traders" shall include any person occupying premises for the purpose of offering any goods, wares or merchandise for sale, at retail, for present or future delivery by auction, by sample, or otherwise, who has not resided continuously in the municipality for at least three months next preceding the time of his commencing such business therein and whose name is not entered on the assessment roll in respect of business or income assessment for the current year.

Stock of insolvent.

(*b*) The by-law shall not apply to the sale of the stock of an insolvent which is being sold or disposed of within the municipality in which he carried on business and whose name is on the assessment roll as provided in clause *a*,

at the time of the issue of an attachment or of the execution of an assignment or at the time of his becoming bankrupt within the meaning of *The Bankruptcy Act*, provided that no additional stock or merchandise is added to the inventory other than that included at the time of issue of the attachment or of the execution of the assignment, or to the sale of a business to a *bona fide* purchaser who continues the same.

Fees.

(*c*) The fee to be paid for the license shall be not less than in a city or town $250, in a village in unorganized territory $200, and in other villages and in townships $100.

Credit of fees on taxes.

(*d*) The sum paid for a license shall be credited to the person paying it on account of taxes thereafter payable by him.

Penalty for offence under this Act.

(*e*) Every person not being a holder of a transient trader's license issued under this Act who carries on business in any municipality as a transient trader, shall be guilty of an offence and shall incur a penalty equal to the license fee which he should have paid and in addition thereto the sum of not less than $10 and not more than $200.

License to be displayed and penalty.

(*f*) Every person who being the holder of a transient trader's license shall cause the same to be prominently and permanently displayed in his place of business during the full term in which he is carrying on business as a transient trader and any omission so to do shall incur a penalty of not less than $1 or more than $10.

Application for license to contain certain information.

(*g*) Every applicant for a transient trader's license shall as part of his application for such license furnish a statement in writing containing a full description of the goods, wares or merchandise which he proposes to sell or offer for sale under such license.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act respecting the Licensing of Hawkers, Pedlars and Transient Traders.

1st Reading

February 13th, 1928.

2nd Reading

3rd Reading

MR. SMYE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 75. 1928.

BILL

An Act to amend The Bulk Sales Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause (*b*) of section 1 of *The Bulk Sales Act* is amended by striking out the words "stock in trade" in the third line and substituting therefor the word "stock." Rev. Stat., c. 167, s. 1, cl. (*b*), amended.

2. Clause (*d*) of section 1 of *The Bulk Sales Act* is amended by striking out the words "the Senior Judge of the County Court of the county in which the vendor resides" in the last two lines and substituting therefor the words "the Judge." Rev. Stat., c. 167, s. 1, cl. (*d*), amended.

3. Section 9 of *The Bulk Sales Act* is amended by striking out the words "the Senior Judge" in the second line and substituting therefor the words "the Judge." Rev. Stat., c. 167, s. 9, amended.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Bulk Sales Act.

1st Reading

February 13th, 1928.

2nd Reading

3rd Reading

MR. PRICE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 75. 1928

BILL

An Act to amend The Bulk Sales Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause (*b*) of section 1 of *The Bulk Sales Act* is amended by striking out the words "*owner's* stock in trade" in the third line and substituting therefor the words "*vendor's* stock." Rev. Stat., c. 167, s. 1, cl. (*b*), amended.

2. Clause (*d*) of section 1 of *The Bulk Sales Act* is amended by striking out the words "the Senior Judge of the County Court of the county in which the vendor resides" in the last two lines and substituting therefor the words "the Judge." Rev. Stat., c. 167, s. 1, cl. (*d*), amended.

3. Section 9 of *The Bulk Sales Act* is amended by striking out the words "the senior judge *of the county court of the county in which the vendor resides*" in the second *and third* lines and substituting therefor the words "the Judge." Rev. Stat., c. 167, s. 9, amended.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Bulk Sales Act.

1st Reading

February 13th, 1928.

2nd Reading

February 15th, 1928.

3rd Reading

MR. PRICE.

(*Reprinted as amended in Committee of the Whole House.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 76. 1928.

BILL

An Act to amend The Local Improvement Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 3 of section 26 of *The Local Improvement Act* is amended by adding at the end thereof the following words: "or where no by-law has been passed under subsection 1 that the corporation shall assume a stated part of the owners' portion of the cost of any certain named work of any one of the classes set out in subsection 1." Rev. Stat. c. 235, s. 26, subs. 3, amended.

(2) Subsection 1 shall be read and construed as if it had been enacted on the 5th day of April, 1927. Amendment retroactive.

No. 76

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Local Improvement Act.

1st Reading

February 13th, 1928.

2nd Reading

3rd Reading

MR. PRICE.

TORONTO:
Printed by

No. 77. 1928.

BILL

An Act to amend The Public Health Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Public Health Act, 1928.* Short title.

2. *The Public Health Act* is amended by adding thereto the following section:

Rev. Stat., c. 262, amended.

Issuing debentures to defray expenses of investigation as to sewage disposal.

97*a*.—(1) The municipal council of a city having a population of not less than 100,000 may with the approval of the Ontario Railway and Municipal Board provide by by-law for the issue of debentures for the purpose of raising money to procure investigations and reports as to the method of sewage treatment and disposal best suited to meet the needs of the municipality.

Assent of electors not required.

(2) It shall not be necessary to procure the assent of the electors to any by-law passed pursuant to subsection 1.

(3) Instead of making a separate issue of debentures to defray the expenses of such investigation and report, the council may provide that such expenses shall be included in the cost of the work and be paid out of the proceeds of any debentures issued therefor.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Public Health Act.

1st Reading

February 13th, 1928.

2nd Reading

3rd Reading

MR. MONTEITH.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty

No. 78. 1928.

BILL

An Act to amend The Mothers' Allowances Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Mothers' Allowances Act, 1928*. Short title.

2. The clause lettered (*b*) in subsection 1 of section 2 of *The Mothers' Allowances Act* is amended by striking out the word "Canada" in the first line, and inserting in lieu thereof the word "Ontario," and by striking out the word "three" in the fourth line and inserting in lieu thereof the word "two." Rev. Stat., c. 280, s. 2, subs. 1, cl. (*b*), amended. Residence in Ontario required.

3. The clause lettered (*c*) in subsection 1 of section 3 of *The Mothers' Allowances Act* is amended by striking out all the words after the word "allowance" in the second line thereof. Ib, cl. (*c*), amended.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Mothers' Allowances Act.

1st Reading
February 13th, 1928.

2nd Reading

3rd Reading

MR. MONTEITH.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 79. 1928.

BILL

An Act to amend The Succession Duty Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Succession Duty Act, 1928*. Short title.

2. Section 10 of *The Succession Duty Act* is amended by adding thereto the following subsection: Rev. Stat., c. 26, s. 10, amended.

(3) The tax imposed by this Act in respect of personal property (except tangible personal property having an actual situs in Ontario) shall not be payable (*a*) if the transferor at the time of his death was a resident of a Province of Canada, or of a State or territory of the United States, or of any foreign country which at the time of his death did not impose a transfer tax, death tax or succession duty of any character in respect of personal property of residents of Ontario (except tangible personal property having an actual situs in such Province, State or territory or foreign country) or (*b*) if the laws of the Province, State or territory or country of residence of the transferor at the time of his death contained a reciprocal exemption provision under which non-residents were exempted from transfer taxes, succession duties or death taxes of every character in respect of personal property (except tangible personal property having an actual situs therein), provided the Province, State or territory or country of residence of such non-residents allowed a similar exemption to residents of the Province, State, territory or country of residence of such transferor, and for the purposes of this section. Reciprocity in taxation of intangible personal property.

(*a*) The District of Columbia and possessions of the United States shall be considered territories of the United States, and any tax imposed under *The United States Revenue Act* shall not be considered a transfer tax,

death tax or succession duty in respect of personal property of residents of Ontario;

(*b*) The terms "foreign country" and "country" shall mean both any foreign country and any political subdivision thereof, and either of them, of which the transferor was domiciled therein at the time of his death, and intangible personal property shall mean incorporeal property, including money, deposits in banks, mortgages, debts, receivables, shares of stock, bonds, notes, credits, evidences of any interest in property and evidences of debt, and all other personal property shall be considered as tangible personal property.

Rev. Stat., c. 26, s. 11, subs. 2, amended.

3. Subsection 2 of section 11 of *The Succession Duty Act* is amended by adding at the end thereof the following words:

Exception as to prohibition of transfer of property before payment of duty.

"But this shall not apply to any payment of insurance money by an insurance corporation, made with the approval of the Treasurer, to a beneficiary under a contract of life insurance where the total amount so paid to such beneficiary by such insurance corporation and any other insurance corporation does not exceed in the whole $1,000."

Rev. Stat., c. 26, s. 16, subs. 1, amended.

Time within which duty payable.

4. Subsection 1 of section 16 of *The Succession Duty Act* is amended by striking out the words "eighteen months" where they occur in the third line and substituting therefor the words "one year" and by striking out the word "five" where it occurs in the sixth line and substituting therefor the word "six."

Rev. Stat., c. 26, s. 16, subs. 2, amended.

5. Subsection 2 of section 16 of *The Succession Duty Act* is amended by striking out the words "eighteen months" where they occur in the eighth line and substituting therefor the words "one year."

Rev. Stat., c. 26, s. 17, subs. 1, amended.

Payment of duty on interest in expectancy.

6. Subsection 1 of section 17 of *The Succession Duty Act* is amended by striking out the words "eighteen months" where they occur in the third line thereof and substituting therefor the words "one year."

Rev. Stat., c. 26, s. 17, subs. 3, amended.

When payment to be made.

7. Subsection 3 of section 17 of *The Succession Duty Act* is amended by striking out the word "five" where it occurs in the seventh line and substituting therefor the word "six."

Rev. Stat., c. 26, s. 17, subs. 4, amended.

Where no person immediately beneficially entitled.

8. Subsection 4 of section 17 of *The Succession Duty Act* is amended by striking out the words "eighteen months" where they occur in the eighth line thereof and substituting therefor the words "one year."

Rev. Stat., c. 26, s. 18, amended.

9. Section 18 of *The Succession Duty Act* is amended by striking out the word "five" where it appears in the ninth line thereof and substituting therefor the word "six."

Interest on amount of duty.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Succession Duty Act.

1st Reading

February 13th, 1928.

2nd Reading

3rd Reading

MR. MONTEITH.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 80. 1928.

BILL

An Act respecting Lac Seul Storage.

WHEREAS the Crown in the right of the Province of Ontario is the owner of lands under and bordering on Lac Seul in the district of Kenora, and also of certain undeveloped water powers on the English River from Lac Seul westerly to the Manitoba boundary; and whereas the Crown in the right of the Dominion of Canada is the owner of certain water powers on the Winnipeg River in the Province of Manitoba, and has represented that all the said powers both on the English River in Ontario and on the Winnipeg River in Manitoba would be greatly benefitted and increased by the construction of a conservation dam at or near Lower Ear Falls at the western end of Lac Seul; and whereas an agreement has been arrived at between the Dominion Government, the Government of the Province of Manitoba and the Government of the Province of Ontario for the construction of the said conservation dam on the terms set out in the said agreement, and it is desirable to authorize and confirm the said agreement;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Lac Seul Conservation Act, 1928*.

Execution of agreement with Dominion Government.

2. The agreement set out in full in schedule "A" hereto may be executed by the Minister of Lands and Forests on behalf of the Government of the Province of Ontario, and upon such execution by the Government of the Dominion of Canada and the repeal of *The Lake of the Woods Regulation Act, 1921*, being chapter 38 of 11-12 George V (Canada), by the Parliament of Canada, such agreement shall be valid and binding on the Province of Ontario.

Proclamation of Act.

3. This Act shall come into force on a day to be named by the Lieutenant-Governor, by his proclamation.

SCHEDULE "A"

Agreement made this ——— day of February, A.D. 1928.

BETWEEN:

THE GOVERNMENT OF THE DOMINION OF CANADA, herein represented by the *Honourable Charles Stewart, Minister of Interior* for the said Dominion of Canada, hereinafter referred to as "Canada,"

of the first part,

THE GOVERNMENT OF THE PROVINCE OF ONTARIO, herein represented by the *Honourable William Finlayson, Minister of Lands and Forests* for the said Province of Ontario, hereinafter referred to as "Ontario,"

of the second part,

—and—

THE GOVERNMENT OF THE PROVINCE OF MANITOBA, herein represented by the *Honourable John Bracken, Prime Minister* of the Province of Manitoba, hereinafter referred to as "Manitoba,"

of the third part.

Whereas the Crown in the right of the Province of Ontario is the owner of the lands under and bordering on Lac Seul in the District of Kenora in the Province of Ontario and also of all ungranted lands under and bordering on the rivers and waters flowing into and out of said lake in the Province of Ontario, and the water powers and water power sites connected therewith;

And whereas the Crown in the right of the Dominion of Canada is the owner of all ungranted lands under the waters of the Winnipeg River in the Province of Manitoba and the water powers and water power sites connected therewith and has leased certain of such power sites to companies and others who have developed the same in whole or in part;

And whereas there are a number of water powers and water power sites at the outlet of Lac Seul and upon the English and Winnipeg Rivers between that lake and the Provincial Boundary between the Provinces of Ontario and Manitoba, all of which powers are vested in the Crown in the right of the Province of Ontario and none of which has as yet been developed;

And whereas it is desirable to construct a regulating dam at Lower Ear Falls at the outlet of Lac Seul for the purpose of increasing the capacity of the power plants already erected and that may hereafter be erected on the Winnipeg River in the Province of Manitoba;

And whereas the erection of a dam at Lower Ear Falls will facilitate the development of power at that point, and be of advantage in the development of power at other power sites on the waters flowing out of Lac Seul between Lower Ear Falls and said Provincial Boundary;

And whereas Canada has requested Ontario to erect a dam at the location and for the purposes aforesaid, and has offered to contribute towards the cost of the construction and maintenance of the same, and Ontario has agreed so to do subject to the terms, stipulations, conditions and reservations hereinafter contained;

Now therefore this Agreement witnesseth:

1. In this agreement unless there is something in the context or subject inconsistent therewith the expressions following shall have the following meanings, namely:

"*Capital Cost*" shall mean and include:

(*a*) The cost of all works of every character and kind whatsoever in connection with the construction of said dam;

(*b*) The cost of acquiring flooding privileges or other necessary easements;

(*c*) Compensation for timber, buildings and improvements, including Ontario Crown Lands, Indian Lands and lands owned by private individuals taken or in any way injuriously affected in connection with the proposed work;

(*d*) Cost of surveys and all engineering work connected with the undertaking;

(*e*) Cost of providing means of communication by telephone or otherwise with said dam;

(*f*) Cost of providing the necessary transportation facilities required for the construction, maintenance and operation of said dam;

(*g*) Cost of the necessary houses and buildings required for those employed in the care and operation of said dam;

(*h*) Cost of equipment for operating and repairing said dam;

(*i*) Interest during construction;

(*j*) The sum of $60,000.00 in respect of flooding Pelican Falls in Ontario;

(*k*) All other costs and expenses of every character and kind whatsoever, whether similar to or different from those above enumerated that may properly be incurred in the construction of said work that are usually or may properly be considered capital.

"*Cost of Maintenance*" shall mean and include all cost and expenses necessary to keep said dam and appurtenances thereto in good repair and condition and fit for the purposes of a control or regulating dam.

"*Cost of Operation*" shall mean and include salaries and wages of men in charge of said dam and all costs and all expenses in connection with the operation thereof and the control of the water passing through or over the same, including such remuneration as may be paid or provided for the members of the Board of Control hereinafter mentioned.

"*Provincial Boundary*" shall mean the boundary between the Provinces of Ontario and Manitoba.

"*Concurrent Legislation*" shall mean the Act of the Dominion of Canada known as "The Lake of the Woods Control Board Act, 1921," being Chapter 10 of 11-12 George V, and the Act of the Province of Ontario, known as "The Lake of the Woods Control Board Act, 1922," being Chapter 21 of 12 George V.

"*Engineer*" shall mean an engineer or engineers appointed by the Province of Ontario.

"*Said Waters*" shall mean waters in the Province of Ontario flowing out of Lac Seul, between and including Lower Ear Falls and the Provincial Boundary.

2. Ontario shall construct a dam for the purposes of conservation, regulation and power at Lower Ear Falls at the outlet of Lac Seul on lands owned by the Crown in the right of the Province of Ontario which said dam shall be absolutely owned, controlled and operated by Ontario and neither of the other parties hereto shall have any ownership in, title to or authority or control over it.

3. The said dam shall be of concrete construction with proper stop

logs or other control and so designed as to permit a storage range in Lac Seul of approximately twelve feet or such reasonable variation therefrom as the Engineer shall determine.

4. The said dam shall be constructed in accordance with plans and specifications prepared by the Engineer, and a certificate of the Engineer that said dam has been constructed in accordance with the provisions hereof shall be conclusive evidence of such fact. Upon the giving of such certificate, Ontario shall be released from all liability in respect of such construction.

5. Three-fifths of the capital cost of said dam shall be paid and borne by Canada and two-fifths by Ontario, said proportions being approximately equivalent to the difference in the mean water elevation between said Provincial Boundary and Lake Winnipeg, and between the present mean water level of Lac Seul and the said Provincial Boundary.

6. All capital cost as herein defined payable by Canada shall be advanced to Ontario monthly or otherwise as may be agreed upon on certificates furnished by the Engineer.

7. After the said dam has been completed and put in operation the total interest on the capital cost apportioned to and contributed by Ontario under the provisions of paragraph 5 hereof shall be paid annually at the rate of five per centum per annum by Canada to Ontario, subject to the provision in the next succeeding paragraph hereof contained.

8. From time to time as the powers on said waters are developed and used Canada shall be relieved from payment of interest on that proportion of the capital cost contributed by Ontario that the amount of head so developed and used bears to the total developable head on said waters; and when and so soon as the total developable head on said waters shall have been developed and used, Canada shall be relieved altogether from payment of interest on Ontario's share of the capital cost. In computing the developable head at Lower Ear Falls the storage range provided by said dam shall not be taken into consideration.

9. At the end of every five years from the date of the completion of said dam as fixed by the Engineer under paragraph 17 hereof, an account shall be taken of the interest payable by Canada to Ontario in respect of Ontario's share of the said capital cost and proper adjustments made in accordance with the provisions hereinbefore set forth.

10. The cost of maintenance and operation of said dam shall be wholly paid by Canada until powers on said waters have been developed and put to use. As such powers are developed and put to use, Ontario shall pay that proportion of two-fifths of the cost of such maintenance and operation that the head so developed and used on said waters bears to the total developable head thereon. When and so soon as the total developable head on said waters has been fully developed and put to use, Canada shall bear three-fifths and Ontario two-fifths of the cost of said maintenance and operation.

11. At the end of every five-year period an account shall be taken of the amount payable by Canada and Ontario respectively for the cost of maintenance and operation, computed in the manner aforesaid, and proper adjustments made in respect thereof.

12. As soon as the lands over which flooding or other privileges are required have been determined, Ontario shall withdraw the same from sale, location or staking under *The Public Lands Act* or *The Mining Act of Ontario* or otherwise, but nothing herein contained shall limit or restrict the right of Ontario to develop or grant such lands or utilize or deal with the same in any manner that may be thought proper, provided the storage and regulation of water by said dam is not improperly interfered with.

13. Any capital cost incurred in the construction of said dam by reason of making provision for works for the development of power, over and above the cost that would necessarily have been incurred in the construction

of said dam for conservation and regulation purposes only shall be paid by the Province of Ontario.

14. After said dam has been completed the amount, if any, payable by Ontario under the provisions of the next preceding paragraph hereof shall be determined by two engineers, one appointed by Canada and one by Ontario. Should the engineers so appointed fail to agree the matter shall be referred to an engineer to be appointed by the Chief Justice of Ontario whose decision shall be final and binding upon the parties.

15. Should said dam after the completion thereof be destroyed by the act of God or otherwise without the consent or approval of Ontario or should it become physically impossible for any reason to operate the same in the manner intended all parties hereto shall be relieved from all liability hereunder, other than and except the liability of Canada to pay to Ontario such sums of money as may be then due and payable by Canada to Ontario under the provisions of this agreement.

16. Nothing herein contained shall by implication or otherwise be considered as a covenant or guarantee by Ontario, with reference to the level at which said waters will be kept or the flow thereof or that said dam will control or regulate the flow of said waters as intended and neither Canada or Manitoba shall have any recourse or claim for damages against Ontario by reason or on account of the construction of said dam or the operation thereof or anything done or attempted by virtue hereof. It being distinctly declared and agreed that Ontario shall incur no liability whatever hereunder either by reason of negligence, non-feasance or misfeasance of its officials, representatives, servants or agents or otheriwse howsoever.

17. The said dam shall for the purpose of this agreement be deemed to be completed at a date to be fixed by the Engineer, and after such date the provisions hereof with reference to maintenance and operation shall become applicable. The fixing of such date of completion shall not interfere with the contribution to and adjustment of capital expenditure by and between Canada and Ontario as herein provided for.

18. Notwithstanding anything herein contained the Lake of Woods Control Board, appointed under the concurrent legislation shall have full power and authority to regulate and control the outflow of Lac Seul by means of said dam in accordance with the principles laid down in the concurrent legislation relating to the regulation and control of the outflow of the waters of Lac Seul.

19. The members of said Board of Control appointed by Canada shall be paid such remuneration as may from time to time be fixed by the Minister of the Interior for Canada and the members of said Board of Control appointed by Ontario shall be paid such remunerations as may from time to time be fixed by the Minister of Lands and Forests for Ontario.

20. It is understood and declared that all contributions by Canada hereunder, whether for capital cost, interest, or cost of maintenance and operation are subject to the right of Canada to be reimbursed therefor by tolls or dues levied or imposed on water powers developed or hereafter developed in Manitoba.

21. When and so soon as this agreement has become effective in accordance with the provisions of paragraph 23 hereof Ontario shall proceed with all reasonable and convenient dispatch to make the necessary engineering investigations and studies to acquire the requisite rights and easements and to perform all other acts necessary for the complete construction of said dam and appurtenances.

22. Manitoba hereby concurs in and approves of all the terms and conditions herein contained. It is understood however that neither this concurrence and approval nor the execution of this agreement by Manitoba shall in any way be construed as an admission express or implied in respect to the rights of the Province or shall in any way prejudice or affect those rights.

23. This agreement shall not become valid and effective until it has been confirmed by an Act of the Parliament of Canada and an Act of the legislature of Ontario nor until the Act of the Parliament of Canada, entitled "The Lake of the Woods Regulation Act, 1921," being Chapter 38 of 11-12 George V has been repealed. Upon such repeal, everything necessary shall be done to bring said concurrent legislation into effect.

In witness whereof the parties hereto have executed these presents the day and year first above written.

WITNESS:

THE GOVERNMENT OF THE DOMINION OF CANADA,

By.....
Minister of Interior.

THE GOVERNMENT OF THE PROVINCE OF ONTARIO,

By.....
Minister of Lands and Forests.

THE GOVERNMENT OF THE PROVINCE OF MANITOBA,

By.....
Prime Minister.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act respecting Lac Seul Storage.

1st Reading,

February 13th, 1928.

2nd Reading

3rd Reading

MR. FINLAYSON.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 81. 1928.

BILL

An Act to amend The Local Improvement Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Local Improvement Act* is amended by adding thereto the following section: Rev. Stat., c. 235, amended.

27*a*.—(1) Where the work is the opening, widening or extension of a lane, and the council is of opinion that any lot abutting on the work is not benefited by the work, or is not benefited thereby to the same extent as other abutting lots, the council may, in the by-law for undertaking the work, exempt such lot or make a reduction in the special assessment which would otherwise be chargeable thereon by deducting from the total frontage of the lot liable to special assessment so much thereof as is sufficient to make the proper reduction. Power to exempt from or reduce assessment for opening of lane.

(2) Where such lot is exempted the amount of the special assessment which would otherwise be chargeable thereon shall be specially assessed against all the other abutting lots, and where a reduction is made the entire cost of the work shall be specially assessed as if it were the cost in respect to the reduced frontage but the whole of the lot granted the reduction shall be charged with the special assessment as so reduced. Assessment of cost of work in such case.

2. Section 11 of *The Local Improvement Act* is repealed and the following substituted therefor: Rev. Stat., c. 235, s. 11, repealed.

11. A petition for the opening, widening or extension of a lane shall be signed by at least three-quarters in number of the owners of the lots liable to be specially assessed, and all other petitions shall be signed by at least two-thirds in number of such owners, and in all cases the owners signing the petition shall represent at least one-half of the value of the lots liable to be specially assessed. Number of signatures required to petitions.

2nd Session, 17th Legislature.
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Local Improvement Act.

1st Reading

February 14th, 1928.

2nd Reading

3rd Reading

MR. MCBRIEN.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 81. 1928.

BILL

An Act to amend The Local Improvement Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Local Improvement Act* is amended by adding thereto the following section: Rev. Stat., c. 235, amended.

Power to exempt from or reduce assessment for opening of lane.

27*a*.—(1) Where the work is the opening, widening, extension *or paving* of a lane, and the council is of opinion that any lot abutting on the work is not benefited by the work, or is not benefited thereby to the same extent as other abutting lots, the council may, in the by-law for undertaking the work, exempt such lot or make a reduction in the special assessment which would otherwise be chargeable thereon by deducting from the total frontage of the lot liable to special assessment so much thereof as is sufficient to make the proper reduction.

Assessment of cost of work in such case.

(2) Where such lot is exempted the amount of the special assessment which would otherwise be chargeable thereon shall be specially assessed against all the other abutting lots, and where a reduction is made the entire cost of the work shall be specially assessed as if it were the cost in respect to the reduced frontage but the whole of the lot granted the reduction shall be charged with the special assessment as so reduced.

2nd Session, 17th Legislature
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Local Improvement Act.

1st Reading

February 14th, 1928.

2nd Reading

February 20th, 1928.

3rd Reading

MR. MCBRIEN.

(*Reprinted as amended by the Municipal Committee.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 82. 1928.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Section 411 of *The Municipal Act* is amended by adding thereto the following paragraph: Rev. Stat., c. 233, s. 411, amended.

8*a*. Paragraph 2 of this section shall also apply to buildings and premises where coal, coke or other fuel is kept or stored for sale. Location of buildings for storage of coal, etc.

(*a*) This paragraph shall not apply to a building or premises which was on the 1st day of April, 1928, erected or used for any of such purposes, so long as it is used as it was used on that day.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Municipal Act.

1st Reading

February 17th, 1928.

2nd Reading

3rd Reading

MR. SMYE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 83. 1928.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 330 of *The Municipal Act* is amended by inserting after the figures 304 in the second line thereof the following words: "or where the said Board has approved of a by-law pursuant to the provisions of subsection 2 of section 399." Rev. Stat., c. 233, s. 330, amended.

2nd Session, 17th Legislature.
18 George V, 1928.

BILL.

An Act to amend The Municipal Act.

1st Reading

February 17th, 1928.

2nd Reading

3rd Reading

MR. SMYE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 84. 1928.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 437 of *The Municipal Act* is amended by adding thereto the following clause: Rev. Stat., c. 233, s. 437, amended.

(*aa*) A city having a population of not less than 50,000, $10,000.

2. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Municipal Act.

1st Reading

February 17th, 1928.

2nd Reading

3rd Reading

MR. MOORE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 85. 1928.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 490 of *The Municipal Act* is amended by adding thereto the following subsection: Rev. Stat., c. 233, s. 490, amended.

(5) It is hereby declared that subsection 2 does not apply, and has never applied to any lane laid out in the rear of lands abutting on another highway or to any outlet connecting such a lane with a highway. Exception as to lane.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Municipal Act.

1st Reading

February 20th, 1928.

2nd Reading

3rd Reading

MR. BAIRD.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty

No. 86. 1928.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Paragraph 7 of section 411 of *The Municipal Act* is repealed and the following paragraph substituted therefor: Rev. Stat., c. 233, s. 411, par. 7, repealed.

7. For prohibiting within any defined area or areas, or on land abutting on any defined highway or part of a highway, the erection or use of tents, awnings or other similar coverings for business purposes, and the housing or keeping of apparatus used in any truck cartage business or motor trucks. Prohibiting erection of tents, housing of motor trucks.

(*a*) This paragraph shall not apply to any such tent, awning or building which was on the 1st day of May, 1919, erected or used for any such purpose as long as it is used as it was used on that day.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Municipal Act.

1st Reading

February 20th, 1928.

2nd Reading

3rd Reading

MR. BAIRD

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 87. 1928.

BILL

An Act to amend The Theatres and Cinematographs Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Theatres and Cinematographs Act, 1928.* Short title.

2.—(1) Section 9 of *The Theatres and Cinematographs Act* is amended by striking out the word "fifteen" in the first line and inserting in lieu thereof the word "sixteen" by adding after the word "matron" in the seventh line the words "or as many matrons and attendants as may be required by the regulations" and by adding after the word "matron" in the tenth line the words "or matrons and attendants." Rev. Stat., c. 285, s. 9, amended. Oversight of children in theatres, etc.

(2) The said section 9 is further amended by adding thereto the following subsection: Rev. Stat., c. 285, s. 9, amended.

(2) A child under the age of sixteen years shall not be permitted to attend any exhibition by cinematograph, moving picture machine or other similar apparatus for admission to which a fee is charged at which is or are exhibited any film or films which have not been stamped by the Board of Censors as being permitted to be exhibited to children. Admission of children under sixteen years of age.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Theatres and Cinematographs Act.

1st Reading

February 20th, 1928.

2nd Reading

3rd Reading

MR. BELANGER.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 88. 1928.

BILL

An Act to amend The Election Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Election Act, 1928*. Short title.

2. *The Election Act* is amended by adding thereto the following section: Rev. Stat., c. 8, amended.

149*a*.—(1) Notwithstanding anything contained in sections 147, 148 and 149 all documents, including used and unused ballot papers, relating to an election, in the custody of the Clerk of the Crown in Chancery or of any other person may be opened, inspected and examined under such conditions and regulations as may be made by the Committee on Privileges and Elections of the Assembly for the purpose of inquiring into any matter referred to the Committee by order of the Assembly, and upon any such proceeding before the said Committee any such document may be filed as an exhibit and any person summoned to attend and give evidence before the Committee upon such inquiry may be examined or cross-examined in relation thereto. Inspection of documents under order of Privileges and Elections Committee.

(2) Upon such inquiry no person shall be excusable as a witness on any ground of privilege or upon the ground that his answer may expose him to criminal proceedings or to any penalties which may be imposed under any statute of Ontario. Compellability of witnesses.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Election Act.

1st Reading

February 20th, 1928.

2nd Reading

February 20th, 1928.

3rd Reading

February 20th, 1928.

MR. PRICE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 89. 1928.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 415 of *The Municipal Act* is amended by adding thereto the following paragraph: Rev. Stat., c. 233, s. 415, amended.

3a. For entering into a contract with the corporation of an adjoining municipality for the use, service and assistance of the fire brigade and the fire apparatus and equipment of such corporation in the event of fire in any defined area of the township and for levying a special annual rate on all the rateable property in such area to defray the expenses incurred under and incidental to such contract. Contracting with adjoining municipality for fire protection.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Municipal Act.

1st Reading,

February 21st, 1928.

2nd Reading

3rd Reading

MR. BRADBURN.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 90. 1928.

BILL

An Act to amend The Lakes and Rivers Improvement Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Lakes and Rivers Improvement Act, 1928.* Short title.

2. Subsection 1 of section 11 of *The Lakes and Rivers Improvement Act* is repealed and the following substituted therefor: Rev. Stat., c. 43, s. 11, subs. 1, repealed.

(1) Where a dam has heretofore been or shall hereafter be constructed in any lake or river and an engineer or other officer of the Department of Lands and Forests reports that by reason of the construction or condition of such dam water may be held, released or diverted in sufficient volume to cause personal injury or damage to property, the Minister may require the owner of such dam to furnish within a given time the plans and other particulars mentioned in subsection 2 of section 9. Requiring production of plans on report of engineer.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Lakes and Rivers Improvement Act.

1st Reading

February 22nd, 1928

2nd Reading

3rd Reading

MR. FINLAYSON.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 91. 1928.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Paragraph 43 of section 399 of *The Municipal Act* is amended by inserting after the word "house" in the third line thereof the words "or lodging house." Rev. Stat., c. 233, s. 399, par. 43, amended.

2. This Act shall come into force on the day upon which it receives the Royal Assent.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Municipal Act.

1st Reading,
February 27th, 1928.

2nd Reading

3rd Reading

MR. WILLSON (Niagara Falls).

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 92. 1928.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 51 of *The Municipal Act* is amended by adding thereto the following subsections: Rev. Stat., c. 233, s. 51, amended.

(3) It shall be the duty of the clerk of the municipality at least six days before the day fixed for holding the meeting for the nomination of candidates for membership in the council to send by registered letter post to the clerk of the county, a certificate under his hand and the seal of the corporation, stating the total number of municipal electors according to the last revised voters' list who are to be counted under the provisions of subsection 2, and to post up in his office a duplicate of such certificate. Certificate of clerk.

(4) If the clerk fails to send such certificate within the prescribed time he shall incur a penalty not exceeding $50 and if he certifies to a larger number of municipal electors than should be counted under the provisions of subsection 2, he shall incur a penalty not exceeding $200. Penalty for failure.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Municipal Act.

1st Reading,
February 27th, 1928.

2nd Reading

3rd Reading

MR. MAHONEY.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 93. 1928.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 400 of *The Municipal Act* is amended by adding thereto the following paragraph: Rev. Stat., c. 233, s. 400, amended.

14. For requiring vendors of coke to store their stock of coke so that it will not be exposed to rain, snow or water, and for prohibiting the sale of coke affected by such exposure. Storage of coke.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Municipal Act.

1st Reading,

February 27th, 1928.

2nd Reading

3rd Reading

MR. WEICHEL.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 94. 1928.

BILL

An Act respecting Relief to Settlers in Northern Ontario.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Northern Ontario Relief Act, 1928*. Short title.

2. *The Northern Ontario Fire Relief Committee Act, 1923*, is declared to be and to have been since the date of the enactment thereof in force notwithstanding any purported repeal of the said Act in any other statute or repealing enactment. 1923, c. 9, declared to be in force.

3. The corporation established under the said Act as the "Northern Ontario Fire Relief Committee" is continued and shall hereafter be known as the "Northern Ontario Relief Commission" and in addition to the powers and duties conferred and imposed by *The Northern Ontario Fire Relief Committee Act, 1923*, the said Commission may, by order of the Lieutenant-Governor in Council from time to time as he may deem advisable, be further authorized to undertake and carry out any plan for the assistance of settlers or others in Northern Ontario in any emergency, or for providing better means of communication, or transportation, or special educational and library facilities, or centres for hospital and medical treatment, and generally any further or other measures or works which may be so authorized from time to time for promoting the safety, health, happiness and prosperity of such settlers or other inhabitants of Northern Ontario. Northern Relief Commission.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act respecting Relief to Settlers in Northern Ontario.

1st Reading,

February 29th, 1928.

2nd Reading

3rd Reading

MR. FINLAYSON.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 95. 1928.

BILL

An Act to amend The Assessment Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Assessment Act, 1928*. Short title.

2. Section 40 of *The Assessment Act* is amended by adding thereto the following subsection: Rev. Stat., c. 238, s. 40, amended.

(10) Where any estate in mines, minerals or mining rights has heretofore or may hereafter become severed from the estate in the surface rights of the same lands, whether by means of the original patent or lease from the Crown, or by any act of the patentee or lessee, his heirs, executors, administrators, successors or assigns, such estates after being so severed shall thereafter be and remain for all purposes of taxation and assessment separate estates notwithstanding the circumstance that the titles to such estates may thereafter be or become vested in one owner. Case of minerals and surface rights becoming vested in one owner.

3. Nothing in section 2 contained shall affect any judgment or decision heretofore rendered or given by any court or other tribunal or any action or other proceeding now pending, but every such judgment or decision may be enforced and carried out and every such action or other proceeding may be continued and judgment or decision therein given as if the said section had not been passed. Judgment rendered and pending litigation not affected.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Assessment Act.

1st Reading,
February 29th, 1928.

2nd Reading

3rd Reading

MR. MCCREA.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 96. 1928.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 411 of *The Municipal Act* is amended by adding thereto the following paragraph: Rev. Stat., c. 233, s. 411, amended.

9. Paragraph 2 of this section shall also apply to fox kennels or other animal kennels, clothes cleaning, pressing or dyeing businesses, hotels, billiard or pool rooms, bowling alleys, tea rooms, tailor shops, barber shops, hair-dressing parlors, beauty parlors, Turkish baths, bathing pools, printing establishments, banks, office buildings, clubs, orphanages, baby farms, private schools and seminaries of learning, dressmaking establishments, rooming houses, coal yards, work shops, restaurants, greenhouses, poultry killing establishments, public halls, dairies, conservatories, schools and studios of music, and premises for the storing of material used by contractors. Regulation of location of buildings for certain purposes.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Municipal Act.

1st Reading,
February 29th, 1928.

2nd Reading

3rd Reading

MR. MCBRIEN.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 97. 1928.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Paragraph 2 of section 398 of *The Municipal Act* is amended by inserting the word "location" after the word "bulk" in the first line; by striking out all the words after the word "by-law" in the fourth line of clause *c* of the said paragraph and inserting in lieu thereof the following: Rev. Stat., c. 233, s. 398, par. 2, amended. Regulation of location of buildings.

"Such notice may be given by publishing in a newspaper published in the municipality, once a week for two successive weeks, a true copy of the proposed by-law, or a synopsis of it, containing a concise statement of its purpose, the last of which publications shall be not more than ten nor less than three days prior to the date fixed for the hearing of such application by the Municipal Board, together with notice of the time and place at which such application will be heard."

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Municipal Act.

1st Reading,

February 29th, 1928.

2nd Reading

3rd Reading

MR. HONEYWELL.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 98. 1928.

BILL

An Act to amend The Estreats Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Estreats Act, 1928*. Short title.

2. Section 3 of *The Estreats Act* is amended by adding thereto the following subsection: Rev. Stat., c. 128, s. 3, amended.

(3) In the case of the forfeiture of a recognizance given by or on behalf of a person for his appearance before a police magistrate or justice of the peace, or by or on behalf of a person appealing from a conviction or order made in the first instance or on appeal, if the court of general sessions of the peace or the Supreme Court is not in session at the time of such forfeiture the registrar or clerk of the peace shall prepare and certify a roll setting out the forfeited recognizance and lay the same before a judge of the court in chambers, and the judge may thereupon by memorandum upon the roll order the estreating of such recognizance, and the registrar or clerk of the peace shall thereupon proceed as in other cases provided for by this Act. When recognizance forfeited while court not in session.

3. *The Estreats Act* is amended by adding thereto the following section: Rev. Stat., c. 128, amended.

16. The provisions of this Act shall apply and extend to any bond, recognizance or other security furnished by or on behalf of any person under any statute of Ontario or by or on behalf of any person appealing from the conviction or order made in the first instance on appeal in any prosecution or summary proceeding had or taken under the provisions of a statute of Ontario to which *The Summary Convictions Act* applies or which contains provision for an appeal from a conviction or order made by a magis- Recognizances to prosecute appeal from convictions, etc. Rev. Stat., c. 121.

trate or judge under such statute, and rules may be made for regulating the practice upon the estreating of any such bond, recognizance or other security by the same authority and in the same manner as under the provisions of section 15.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Estreats Act.

1st Reading,

February 29th, 1928.

2nd Reading

3rd Reading

MR. PRICE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 98. 1928.

BILL

An Act to amend The Estreats Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Estreats Act, 1928*. Short title.

2. Section 5 of *The Estreats Act* is amended by adding thereto the following subsection: Rev. Stat., c. 128, s. 5, amended.

(4) In the case of the forfeiture of a recognizance given by or on behalf of a person for his appearance before a police magistrate or justice of the peace *or before the judge of the county or district judge's criminal court* or by or on behalf of a person appealing from a conviction or order made in the first instance or on appeal, if the court of general sessions of the peace is not in session at the time of such forfeiture the clerk of the peace shall prepare and certify a roll setting out the forfeited recognizance and lay the same before a judge of the *county* court in chambers, and the judge may thereupon by memorandum upon the roll order the estreating of such recognizance, and the clerk of the peace shall thereupon proceed as in other cases provided for by this Act. When recognizance forfeited while court not in session.

3. *The Estreats Act* is amended by adding thereto the following section: Rev. Stat., c. 128, amended.

☞ 16.—(1) The provisions of this Act shall apply and extend to any bond, recognizance or other security furnished under any Statute of Ontario by or on behalf of any person for his appearance before a magistrate or a justice or for the prosecution of any appeal in any matter or case punishable on summary conviction or in which an appeal lies from a conviction or order made by a judge, magistrate or justice. Recognizances to prosecute appeal from convictions, etc.

(2) Rules may be made for regulating the practice upon the estreating of any such bond, recognizance or other security by the same authority and in the same manner as under the provisions of section 15.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Estreats Act.

1st Reading,

February 29th, 1928.

2nd Reading

March 2nd, 1928.

3rd Reading

MR. PRICE.

(*Reprinted as amended in Committee of the Whole House.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 99. 1928.

BILL

An Act to amend The Landlord and Tenant Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Landlord and Tenant Act, 1928.* Short title.

2. Section 31 of *The Landlord and Tenant Act* is amended by inserting immediately before the word "boarder" wherever it occurs in the said section the word "under-tenant" and by adding thereto the following subsection: Rev. Stat., c. 190, s. 31, amended.

(4) In this section "under-tenant" shall mean a tenant to whom the premises or some part of the premises in respect of which rent is distrained for shall have been sub-let with the consent of the superior landlord or in default of such consent under the order of the judge of the county or district court as provided by subsection 2 of section 22. Protection of goods of under-tenant from distress.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Landlord and Tenant Act.

1st Reading,

February 29th, 1928.

2nd Reading

3rd Reading

MR. PRICE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty

No. 100. 1928.

BILL

An Act to amend The Assessment Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 46 of *The Assessment Act* is amended by striking out the word "buildings" in the fourth and eleventh lines and by inserting the words "not including buildings" after the word "improvements" in the sixth and thirteenth lines so that the subsection will now read as follows: Rev. Stat., c. 238, s. 46, subs. 2, amended.

(2) Subject to the provisions of subsection 3 and of section 47, subsection 1 shall not apply to or include a highway, street, lane, or other public place, nor shall it apply to or include machinery, works, structures, substructures, superstructures, rails, ties, pipes, poles and other property, works, or improvements (not including buildings) owned, used or controlled by such municipal corporation, commission, trustees or other body, nor an easement or the right of use or occupation or other interest in land not owned by such municipal corporation, commission, trustees or other body, but every such highway, street, lane or other public place, and all such machinery, works, structures, substructures, superstructures, rails, ties, pipes, poles and other property, works or improvements (not including buildings) so owned, used or controlled, and every easement or right shall continue to be exempt from assessment and taxation as heretofore. Assessment of property of municipal public utilities.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Assessment Act.

1st Reading

March 1st, 1928.

2nd Reading

3rd Reading

MR. NESBITT.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 101. 1928.

BILL

An Act to amend The Local Improvement Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Rev. Stat., c. 235, s. 53, repealed.

1. Section 53 of *The Local Improvement Act* is repealed and the following substituted therefor:

Certain lands exempt from taxation liable to be specially assessed.

53. The following land shall be liable to be specially assessed for local improvements notwithstanding the provisions of *The Assessment Act:* Rev. Stat., c. 238.

(*a*) Land on which a university, college, school, seminary of learning, church or place of worship is erected, or which is used in connection therewith, whether vested in a trustee or otherwise.

(*b*) Land owned or leased by or vested in a municipal corporation or commission or in trustees or any other body acting for and on behalf of a municipal corporation and used for the purpose of supplying water, light, heat or power to the inhabitants of the municipality or for the purposes of a railway, electric railway, street railway or tramway or for other transportation purposes.

2nd Session, 17th Legislature,
Ontario,
18 George V, 1928.

BILL.

An Act to amend The Local Improvement Act.

1st Reading

March 1st, 1928.

2nd Reading

3rd Reading

MR. NESBITT.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 102. 1928.

BILL

An Act to amend The Local Improvement Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 20 of *The Local Improvement Act* is amended by adding thereto the following: Rev. Stat., c. 235, s. 20, subs. 2, amended.

(*f*) In the case of a sewer the outlet for which has already been constructed, an amount equivalent to that portion of the cost of such outlet which the lands to be specially assessed for the sewer would have borne if they had been assessable in respect to such outlet when it was constructed.

18 George V, 1928.

BILL.

An Act to amend The Local Improvement Act.

1st Reading

March 1st, 1928.

2nd Reading

3rd Reading

MR. NESBITT.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 103. 1928.

BILL

An Act to confirm the Revised Statutes of Ontario, 1927.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Revised Statutes Act, 1928.*

Rev. Stat., 1927, confirmed.

2. The Revised Statutes of Ontario, 1927, as printed by the King's Printer, and declared by proclamation of the Lieutenant-Governor in Council, dated the 20th day of December, 1927, last past, to come into force on, from and after the 31st day of December, 1927, last past, have been on, from and after such last-mentioned day, and shall hereafter be in force in Ontario to all intents and purposes as though the same were expressly embodied in and enacted by this Act, to come into force and have effect on, from and after such last-mentioned day, subject, however, to the provisions of section 9 and following sections of the Act of this Legislature passed in the seventeenth year of His Majesty's reign, chaptered 3, and intituled *An Act to provide for the Consolidation of the Statutes of Ontario*, and to the Acts passed in the present session of this Legislature.

Repealed enactments

3. On, from and after such last-mentioned day all the enactments in the several Acts and parts of Acts mentioned in schedule A appended to the Revised Statutes of Ontario, 1927, have been and shall remain repealed to the extent mentioned in the third column of schedule A, except as provided in any Act passed in the present session of the Legislature.

Judicial interpretation not adopted.

4. The Legislature is not by reason of the passing of this Act to be deemed to have adopted the construction which may, by judicial decision or otherwise, have been placed upon the language of any of the statutes included among the Revised Statutes.

Commencement of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

2nd Session, 17th Legislature,
Ontario,
18 George V, 1928.

BILL.

An Act to confirm the Revised Statutes of Ontario.

1st Reading

March 1st, 1928.

2nd Reading

3rd Reading

MR. PRICE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 104. 1928.

BILL

An Act to amend The Colonization Roads Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Colonization Roads Amendment Act, 1928.* Short title.

2. Section 1 of *The Colonization Roads Act* is repealed and the following substituted therefor: Rev. Stat., c. 37, s. 1, repealed.

1. In this Act,— Interpretation.

(*a*) "Department" shall mean The Department of Northern Development. "Department."

(*b*) "Minister" shall mean that member of the Executive Council to whom for the time being, the administration of this Act is assigned. "Minister."

3. Section 7 of *The Colonization Roads Act* is amended by striking out all words after the word "of" in the fourth line and substituting therefor the words "Northern Development." Rev. Stat., c. 37, s. 7, amended.

4.—Section 11 of *The Colonization Roads Act* is amended by striking out the word "forty" in the eleventh line and inserting in lieu thereof the word "fifty," and by striking out all the words therein after the word "municipality" in the thirteenth line and substituting therefor the words "but the amount so paid shall not in any one year exceed the sum of $400." Rev. Stat., c. 37, s. 11, amended. Grant in aid of salary of overseer. Limit of grant.

5. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Colonization Roads Act.

1st Reading

March 1st, 1928.

2nd Reading

3rd Reading

MR. FINLAYSON.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 105. 1928.

BILL

An Act to amend The Municipal Arbitrations Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *e* of subsection 2 of section 1 of *The Municipal Arbitrations Act* is amended by adding before the word "engineers" in the seventh line the words "valuators, appraisers." Rev. Stat., c. 242, s. 1, subs. 2, cl. *e*, amended.

2. Subsection 1 of section 12 of *The Municipal Arbitrations Act* is amended by striking out the figures "$20" in the third line and substituting therefor the figures "$30," and by striking out the figures "$4." at the end of the said subsection and substituting therefor the figures "$10." Rev. Stat., c. 242, s. 12, subs. 1, amended.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Municipal Arbitrations Act.

1st Reading

March 1st, 1928.

2nd Reading

3rd Reading

MR. PRICE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty

No. 106. 1928.

BILL

An Act to amend The Assessment Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Assessment Act* is amended by adding at the beginning of subsection 1 of section 64 the words "subject to the provisions of section 64*a*" and by adding the following as section 64*a*: Rev. Stat., c. 238, s. 64, subs. 1, amended.

64*a*.—(1) In a city having a population of not less than 200,000 the court of revision shall consist of one member only, appointed by the council of such city, who shall be a barrister of at least ten years standing at the bar of Ontario, but who shall not be a member of the city council or an officer or employee of the city corporation. Constitution of Court in city over 200,000.

(2) Such member shall be known as "The Commissioner of the Court of Revision" and shall hold office during the pleasure of the council. Name of member.

(3) In case of the illness or absence from Ontario of such commissioner the council may appoint another person possessing the same qualifications to act during such illness or absence. Illness or absence of commissioner.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Assessment Act.

1st Reading

March 1st, 1928.

2nd Reading

3rd Reading

MR. PRICE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 107. 1928.

BILL

An Act to amend The Public Lands Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Public Lands Act, 1928*. Short title.

2. Subsection 1 of section 55 of *The Public Lands Act* is amended by striking out the words and figures "14th day of April, 1908" and inserting in lieu thereof the words and figures "the 6th day of May, 1913" and this amendment shall be deemed to have had effect on and from the 31st day of December, 1927. Rev. Stat., c. 35, s. 55, subs. 1, amended.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Public Lands Act.

1st Reading

March 2nd, 1928.

2nd Reading

3rd Reading

MR. MCCREA.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 108. 1928.

BILL

An Act to amend The Public Lands Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Public Lands Act, 1928*. Short title.

2. Section 3 of *The Public Lands Act* is repealed and the following substituted therefor: Rev. Stat., c. 55, s. 3, repealed.

3.—(1) There shall be a Deputy Minister of Lands and Forests who shall be appointed by the Lieutenant-Governor in Council and shall perform such duties as may be assigned to him by the Lieutenant-Governor in Council or by the Minister and in the absence of the Minister, or in case of a vacancy in the office of the Minister, he shall discharge the duties of the Minister in respect to such matters as may have been assigned to him. Deputy Minister of Lands and Forests.

(2) There shall also be a Deputy Minister of Forestry who shall be appointed by the Lieutenant-Governor in Council and shall perform such duties in connection with reforestation, forest protection, forest research and investigation and other matters as may be assigned to him by the Lieutenant-Governor in Council, or by the Minister, and in the absence of the Minister, or in case of a vacancy in the office of the Minister, he shall discharge the duties of the Minister with respect to such matters as may have been assigned to him. Deputy Minister of Forestry.

(3) There shall also be a Deputy Minister to be known as the Surveyor General who shall be appointed by the Lieutenant-Governor in Council and shall perform such duties in connection with the surveying of lands, investigation of water powers, engineering, inspection, research and such other matters as may be assigned to him by the Lieutenant-Governor in Surveyor General to be a deputy.

Council or by the Minister, and in the absence of the Minister, or in the case of a vacancy in the office of the Minister, he shall discharge the duties of the Minister with respect to such matters as may have been assigned to him.

Oath of office.

(4) Each of the Deputy Ministers shall before entering upon his duties take and subscribe an oath faithfully to discharge the same, which shall be administered by the Minister or by some person appointed by the Lieutenant-Governor in Council for that purpose.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Public Lands Act.

1st Reading

March 2nd, 1928.

2nd Reading

3rd Reading

MR. FINLAYSON.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 109. 1928.

BILL

An Act to amend The Boys' Welfare Home and School Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Boys' Welfare Home and School Act, 1928*. Short title.

2. *The Boys' Welfare Home and School Act* is amended by adding thereto the following section: Rev. Stat., c. 282, amended.

Notice to municipality liable for maintenance.

16*a*.—(1) Where application is made to the superintendent of a welfare home and school for the admission of any boy, the superintendent shall notify the municipality of which the boy is represented to be a resident stating the name, age and address of the boy and the period of his residence in the municipality.

Liability of municipality if no objection taken.

(2) If a municipality objects to paying for the maintenance of any boy at a welfare home and school upon the ground that the boy is not a resident of the municipality the corporation shall notify the superintendent in writing to that effect, otherwise the liability of the municipality to pay for the maintenance of the boy in the welfare home and school shall not be open to question upon the ground that the boy was not a resident of the municipality.

Remedy over against parents, etc.

(3) Where a municipal corporation has been called upon to pay for the maintenance of a boy in a welfare home and school and the parent or guardian or other person having the care and custody of the boy has sufficient means to pay for his maintenance, the corporation may recover from such parent, guardian or other person any sum so paid by it before the boy has reached the age of twenty-one years.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

TORONTO:
Printed by
The Methodist Book and Publishing House.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Boys' Welfare Home and School Act.

1st Reading

March 2nd, 1928.

2nd Reading

3rd Reading

MR. GOLDIE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 110. 1928.

BILL

An Act respecting the Toronto General Hospital.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Certain exchange of land validated.

1. It is hereby declared that the expropriation of lands for the purpose of exchanging the same or any part or parts thereof for other lands deemed by the trustees of the Toronto General Hospital to be more suitable for the purposes of the hospital is now and since the 6th day of May, 1913, has been within the powers of the corporation and that the by-law passed by the trustees of the Toronto General Hospital, dated the 5th day of July, 1927, and the exchange with the corporation of the city of Toronto for other lands of part of the lands expropriated by the said by-law for the purpose of extending Gerrard Street West westerly were within such powers.

Conveyance to city under By-law No. 11312.

2. It is hereby declared that the trustees of the Toronto General Hospital by executing and delivering to the corporation of the city of Toronto the conveyance, dated the 16th day of January, 1928, a copy of which is set forth in schedule "A" to this Act, has sufficiently complied with the provisions of by-law number 11312 of the said corporation of the city of Toronto, requiring the trustees of the Toronto General Hospital to convey to the corporation of the city of Toronto the lands necessary for the extension of Gerrard Street West westerly at a width of sixty-six feet between the west street line of Elizabeth Street and the east street line of University Avenue, and that the said by-law shall be read and construed as if it had defined the lands necessary for the said extension of Gerrard Street West as the lands described in the said conveyance.

Conveyance of Christopher Street and certain lands to Hospital.

3. The conveyance, dated the 16th day of January, 1928, of Christopher Street and the northerly portions of Centre Avenue and Chestnut Street from the corporation of the city of Toronto to the trustees of the Toronto General Hospital, a copy of which is set forth in schedule "B" to this Act, is

hereby validated and confirmed as of the date thereof, and the said street and portions of streets are hereby declared to have become vested by the said conveyance in the trustees of the Toronto General Hospital for all the estate, right, title and interest of the corporation of the city of Toronto therein and thereto.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

This indenture made in duplicate the 16th day of January, one thousand nine hundred and twenty-eight. In pursuance of *The Short Forms of Conveyances Act:*

BETWEEN:

THE TRUSTEES OF THE TORONTO GENERAL HOSPITAL, a body corporate,

of the first part,

—and—

THE CORPORATION OF THE CITY OF TORONTO,

of the second part.

Whereas by a by-law of the Trustees of the Toronto General Hospital passed on the 5th day of July, 1927, entitled "A by-law to authorize an exchange of lands between the Trustees of the Toronto General Hospital and the Corporation of the City of Toronto," the conveyance to the Corporation of the City of Toronto for highway purposes of the lands and premises hereinafter described for the considerations in the said by-law mentioned was duly authorized;

Now this indenture witnesseth that in pursuance of the premises and for certain valuable considerations and the sum of One dollar now paid by the said party of the second part to the said party of the first part (the receipt whereof is hereby by it acknowledged) it the said party of the first part doth grant unto the said party of the second part in fee simple for highway purposes:

All and singular that certain parcel or tract of land and premises situate lying and being in the City of Toronto, in the County of York and Province of Ontario, being composed of parts of lots numbers 1, 2, 7 and 8, according to a plan filed as number 145 in the Registry Office for the City of Toronto, and now in the Registry Office for the Registry Division of Toronto, and of parts of lots numbers 11, 12, 19, 20, 34, 35, 49 and 50, all according to a plan filed as number D. 14 in the said Registry Office for the City of Toronto, and now in the said Registry Office for the Registry Division of Toronto, and which said parcel of land is more particularly described as follows:—Commencing at a point in the westerly limit of Elizabeth Street as shown on said registered plan number 145, which point is distant Two hundred and thirty-one feet and five inches (231′ 5″) southerly from the intersection of the said limit of Elizabeth Street as shown on registered plans numbers 145 and 154, with the easterly production of the southerly limit of Christopher Street as extended by By-law No. 5625 of the Municipal Corporation of the City of Toronto; thence westerly in a straight line, along the first section of the southerly limit of the lands herein described, Eighty-one feet and ten and one-quarter inches (81′ 10¼″) to a point in the westerly limit of said lot number 8, according to registered plan number 145, which point is distant Two hundred and thirty-one feet and three and one-quarter inches (231′ 3¼″) measured on a course parallel to the said limit of Elizabeth Street from the said southerly limit of Christopher Street extended by By-law as aforesaid; thence westerly in a straight line, along the second section of the said southerly limit of the lands herein described, to a point in the westerly limit of Chestnut Street as shown on said registered plan number D. 14, which last named point is distant Two hundred and twenty-two feet (222′) southerly from the intersection of the said limit of Chestnut Street with the southerly limit of Christopher Street as shown on the last named plan; thence westerly in a straight line along the third section of the said southerly limit of the lands herein described, to a point in the easterly limit of Centre Avenue (formerly called Centre Street) as shown on said registered plan number D. 14, which last named point is distant Two hundred and thirteen feet and three and one-quarter inches (213′ 3¼″) southerly from the intersection of the said limit of Centre Avenue with the said limit of Christopher Street as shown on the last named plan;

thence westerly in a straight line, along the fourth section of the said southerly limit of the lands herein described, to a point in the easterly limit of University Street as shown on said registered plan number D. 14, which last named point is distant Two hundred and twelve feet and ten inches (212′ 10″) southerly from the intersection of the said limit of University Street with the said southerly limit of Christopher Street; thence northerly along the said limit of University Street Sixty-six feet (66′) more or less, to a line drawn parallel to the said fourth section of the southerly limit of the aforesaid lands, and distant Sixty-six feet (66′) northerly therefrom, measured at right angles thereto; thence easterly along the last mentioned parallel line, to the point of intersection with a line drawn parallel to the said third section of the southerly limit of the aforesaid lands and distant Sixty-six feet (66′) northerly therefrom, measured at right angles thereto; thence easterly along the last mentioned parallel line, to a line drawn parallel to the said second section of the southerly limit of the aforesaid lands and distant Sixty-six feet (66′) northerly therefrom, measured at right angles thereto; thence easterly along the last mentioned parallel line, to the point of intersection with a line drawn parallel to the said first section of the southerly limit of the aforesaid lands and distant Sixty-six feet (66′) northerly therefrom, measured at right angles thereto; thence easterly along the last mentioned parallel line to the westerly limit of Elizabeth Street aforesaid; thence southerly along the last mentioned limit, Sixty-six feet (66′) more or less to the point of commencement.

Saving and excepting thereout and therefrom those portions of Chestnut Street and Centre Avenue included within the hereinbefore described limits.

The said party of the first part covenants with the said party of the second part that it has the right to convey the said lands to the said party of the second part notwithstanding any act of the said party of the first part.

And that the said party of the second part shall have quiet possession of the said lands free from all incumbrances.

And the said party of the first part covenants with the said party of the second part that it will execute such further assurances of the said lands as may be requisite.

And the said party of the first part covenants with the said party of the second part that it has done no act to incumber the said lands.

And the said party of the first part releases to the said party of the second part all its claims upon the said lands.

In witness whereof the said parties hereto have hereunto set their hands and seals.

SIGNED, SEALED AND DELIVERED

In the presence of:

"D. N. MACLACHLAN."

"C. S. BLACKWELL," *Chairman.*

(*Corporate Seal*)

"C. J. DECKER," *Secretary.*

SCHEDULE "B"

This indenture made in duplicate the sixteenth day of January, in the year of our Lord one thousand nine hundred and twenty-eight. In pursuance of *The Short Forms of Conveyances Act:*

BETWEEN:

THE CORPORATION OF THE CITY OF TORONTO,
hereinafter called the Grantor,

of the first part,

—and—

THE TRUSTEES OF THE TORONTO GENERAL HOSPITAL,
a body corporate, hereinafter called the Grantee,

of the second part.

Whereas by a certain by-law passed by the Council of the Corporation of the City of Toronto on the 25th day of July, 1927, and numbered 11312, it was thereby enacted that the lands hereinafter described and being portions of public highways be thereby stopped up and closed.

And whereas it was also enacted in and by said by-law that the said Grantor was to convey to the said Grantee the said lands under certain terms and conditions.

And whereas one of the said conditions hereinbefore mentioned was that the said Grantee should convey to the said Grantor sufficient lands for the extension of Gerrard Street westerly from the westerly street limit of Elizabeth Street to the easterly limit of University Street.

And whereas by a certain conveyance of even date hereof, the said Grantee has conveyed to the said Grantor the said lands for the said extension of Gerrard Street.

Now this indenture witnesseth that in pursuance of the premises and for certain valuable considerations and the sum of One dollar of lawful money of Canada now paid by the said Grantee to the said Grantor (the receipt whereof is hereby by it acknowledged) the said Grantor doth grant unto the said Grantee in fee simple all and singular that certain parcel or tract of land and premises situate, lying and being in the City of Toronto, in the County of York, and Province of Ontario, being composed of Christopher Street fifty-five feet in width, extending from the westerly limit of Elizabeth Street as widened by By-law No. 5623 of the Municipal Corporation of the City of Toronto, to the easterly limit of University Street as shown on a plan filed as number D-14 in the Registry Office for the said City of Toronto, and now in the Registry Office for the Registry Division of Toronto, together with the widening thereof under By-law No. 5624 of the Municipal Corporation of the said City of Toronto, and the extension thereof under By-law No. 5625 of the Municipal Corporation of the said City of Toronto.

Secondly: All and singular that certain parcel or tract of land and premises, situate, lying and being in the City of Toronto, in the County of York, and Province of Ontario, being composed of that part of Centre Avenue (formerly called Centre Street) as shown on a plan filed as number D-14 in the Registry Office for the City of Toronto, and now in the Registry Office for the Registry Division of Toronto, more particularly described as follows:—Commencing at the intersection of the westerly limit of Centre Avenue with the southerly limit of Christopher Street as shown on said registered plan number D-14; thence easterly in a straight line, sixty-six feet to the intersection of the easterly limit of said Centre Avenue with the said southerly limit of Christopher Street; thence southerly along the said limit of Centre Avenue, one hundred and forty-seven feet and three and one-quarter inches more or less, to a line drawn parallel to a certain line connecting a point in the said easterly limit of Centre Avenue distant two hundred and thirteen feet and three and one-quarter inches

southerly from the intersection of the same with the said limit of Christopher Street with a point in the easterly limit of University Street as shown on said registered plan number D-14, distant two hundred and twelve feet and ten inches southerly from the intersection of the last named limit with the said southerly limit of Christopher Street; the said parallel line being distant sixty-six feet northerly from the said connecting line measured at right angles thereto; thence westerly along the said parallel line, sixty-six feet to the westerly limit of Centre Avenue aforesaid; thence northerly along the last mentioned limit, one hundred and forty-seven feet and two inches more or less to the point of commencement.

Thirdly: All and singular that certain parcel or tract of land and premises, situate, lying and being in the City of Toronto, in the County of York, and Province of Ontario, being composed of that part of Chestnut Street, as shown on a plan filed as number D-14 in the Registry Office for the City of Toronto, and now in the Registry Office for the Registry Division of Toronto, more particularly described as follows:—Commencing at the intersection of the westerly limit of Chestnut Street with the southerly limit of Christopher Street as shown on the said plan; thence easterly along the production of the said limit of Christopher Street, sixty-six feet to the easterly limit of Chestnut Street; thence southerly along the said easterly limit, one hundred and fifty-nine feet and eleven and a half inches more or less, to a line drawn parallel to a certain line connecting a point in the westerly limit of lot number 8, according to a plan filed as number 145 in the said Registry Office for the City of Toronto, and now in the said Registry Office for the Registry Division of Toronto, distant two hundred and thirty-one feet and three and one-quarter inches measured southerly on a course parallel to the westerly limit of Elizabeth Street from the southerly limit of Christopher Street as extended by By-law No. 5625 of the Municipal Corporation of the City of Toronto, with a point in the westerly limit of said Chestnut Street distant two hundred and twenty-two feet southerly from the intersection of the same with the said southerly limit of Christopher Street, the said parallel line being distant sixty-six feet northerly from the hereinbefore described connecting line, measured at right angles thereto; thence westerly along the said parallel line, to the point of intersection with a line drawn parallel to a certain line connecting a point in the said westerly limit of Chestnut Street, distant two hundred and twenty-two feet southerly from the intersection therewith of the said southerly limit of Christopher Street with a point in the easterly limit of Centre Avenue (formerly called Centre Street) as shown on said registered plan number D-14, distant two hundred and thirteen feet and three and one-quarter inches southerly from the intersection of the last named limit with the said limit of Christopher Street, the said last mentioned parallel line being distant sixty-six feet northerly, from the last mentioned connecting line, measured at right angles thereto; thence westerly along the last mentioned parallel line to the westerly limit of Chestnut Street aforesaid; thence northerly along the last mentioned limit, one hundred and fifty-five feet and eleven inches more or less, to the point of commencement.

To have and to hold unto the said Grantee, its successors and assigns, to and for its and their sole and only use forever.

Subject nevertheless to the reservations, limitations, provisoes and conditions expressed in the original Grant thereof from the Crown.

And the said Grantor covenants with the said Grantee that it has done no act to encumber the said lands.

And the said Grantor releases to the said Grantee all its claims upon the said lands.

In witness whereof the said Grantor has hereunto affixed its Corporate Seal and the hand of Samuel McBride, Esquire, Mayor, countersigned by Henry Reburn, Esquire, Deputy Treasurer of the said City.

SIGNED, SEALED AND DELIVERED

In the presence of:

"SAMUEL MCBRIDE," *Mayor.*

(*Corporate Seal*)

"H. REBURN," *Deputy Treasurer.*

Ontario.
18 George V, 1928.

BILL.

An Act respecting the Toronto General Hospital.

1st Reading,

March 2nd, 1928.

2nd Reading

3rd Reading

MR. FERGUSON.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 111. 1928.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Municipal Act* is amended by striking out of the heading of section 410 the words "and of townships in unorganized territory," and by adding the following section: Rev. Stat., c. 233, s. 410, amended.

410a. By-laws may be passed by the councils of townships in unorganized territory;

Width of Sleigh-runners.

1. For providing that no sleigh or other vehicle upon runners for the conveyance of articles of burden, goods, wares or merchandise, shall be used by any person on any of the highways within the municipality unless the runners thereof measuring from centre to centre are apart at the bottom at least four feet. Sleigh runners.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Municipal Act.

1st Reading,

March 5th, 1928.

2nd Reading

3rd Reading

MR. KENNEDY (Temiskaming).

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 112. 1928.

BILL

An Act to amend The Public Service Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Public Service Act, 1928*. Short title.

2.—(1) The clause lettered *b* in section 32 of *The Public Service Act* is amended by striking out the words "or who having so served at least twenty-five years is retired from the public service for any cause other than misconduct or improper behaviour on his part" in the fourth, fifth, sixth and seventh lines. Rev. Stat., c. 16, s. 32, cl. *b*, amended.

(2) The said section 32 is amended by adding thereto the following clause: Rev. Stat., c. 16, s. 32, amended.

(*c*) Every person who having attained the age of fifty-five years and having served at least twenty-five years continuously in the public service is retired therefrom by the Lieutenant-Governor in Council for any cause other than misconduct or improper behaviour on his part.

3. The clause lettered *a* in section 45 of *The Public Service Act* is amended by adding at the end thereof the words "or to a widow where she was married to an employee after the date of his superannuation, or to the children of such widow." Rev. Stat., c. 16, s. 45, cl. *a*, amended.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Public Service Act.

1st Reading,

March 5th, 1928.

2nd Reading

3rd Reading,

MR. FERGUSON.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty

No. 113. 1928.

BILL

An Act to amend The Mining Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The clause lettered *a* in subsection 3 of section 60 of *The Mining Act* is amended by inserting after the word "subsection" in the first and second lines thereof the words "or section 80" so that the clause will now read as follows: Rev. Stat., c. 45, s. 60, subs. 3, cl. *a*, amended.

(*a*) Any affidavit required to be made under this subsection, or section 80, may be taken before an Ontario land surveyor.

2. Section 113 of *The Mining Act* is repealed and the following substituted therefor: Rev. Stat., c. 45, s. 113, repealed.

113.—(1) The Lieutenant-Governor in Council may make regulations respecting the issue of leases authorizing the holders thereof to dredge or work in any river, stream or lake, or on lands not covered by water, for the purpose of recovering therefrom alluvial gold, platinum, precious stones, or other valuable mineral not in place, and every Order-in-Council made under this section shall take effect from the date of the first publication thereof in the *Ontario Gazette*. Regulations as to dredging leases.

(2) Every such lease shall provide for the payment in advance of an annual rental of not less than twenty-five cents per acre, and shall not be for a greater term than ten years, renewable at the expiration thereof for a further term of not more than ten years, and every such lease or renewal thereof shall contain such conditions and provisions as the Lieutenant-Governor in Council may see fit. Provisions to be included in dredging leases.

3. *The Mining Act* is amended by adding thereto the following section: Rev. Stat., c. 45, amended.

Examination for presence of Silicosis.

157*a*.—(1) Every workman employed underground in any mine shall be examined by a medical officer appointed under the provisions of *The Workmen's Compensation Act* relating to silicosis at least once in every twelve months, and every applicant for underground work to whom the certificate mentioned in subsection 2 has not been issued shall be so examined.

Medical certificate.

(2) If the medical officer finds upon examination that the workman is free from tuberculosis of the respiratory organs, he shall certify in the prescribed form that such is the case, and shall deliver the certificate to the workman.

Term of certificate.

(3) Every such certificate shall remain in force for not more than twelve months from the date of issue, and if so required by the manager or superintendent of the mine in which the workman is employed, it shall be delivered to and remain in the custody of such manager or superintendent during the period of the workman's employment, and shall be returned to him on his being discharged from or leaving the same.

Ore or rock crushing operations at surface.

(4) A like certificate shall be required in the case of a workman engaged in any ore or rock crushing operation at the surface of the mine except where the ore or rock is crushed in water or a chemical solution and is kept constantly in a moistened or wet condition.

(5) Except as provided in subsection 4 a workman as to whom such a certificate is not in force shall not be employed in underground work in any mine or in ore or rock-crushing operations at the surface of any mine.

Exemptions.

(6) The Chief Inspector of Mines may exempt from the foregoing provisions of this section such mines as do not contain silica in quantity likely to produce silicosis, or which for any other good and sufficient reason the said Chief Inspector deems should be exempt, nor shall such provisions apply to workmen employed underground for a less period than fifty hours in any one calendar month.

Regulations.

(7) The Lieutenant-Governor in Council may make regulations prescribing the nature of the medical examination to be made and the form of certificate to be issued under the foregoing provisions of this section and generally for the better carrying out of the requirements of this section.

Commencement of Act.

Section 2 shall come into force on a day to be named by the Lieutenant-Governor by his proclamation, and the remainder of the Act shall come into force on the day upon which the Act receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Mining Act.

1st Reading,
March 5th, 1928.

2nd Reading

3rd Reading

MR. MCCREA.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 114. 1928.

BILL

An Act to amend The Ditches and Watercourses Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Ditches and Watercourses Act, 1928*.

Rev. Stat., c. 316, amended.

2. *The Ditches and Watercourses Act* is amended by adding thereto the following section:

Appointment of Inspector.

32*b*. The council of a township may, by by-law, appoint an inspector whose duty it shall be, upon the instructions of the council, to inspect all ditches and from time to time to report to the council on the condition of such ditches and to perform such other duties as the council may require.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Ditches and Watercourses Act.

1st Reading,

March 6th, 1928.

2nd Reading

3rd Reading

MR. WRIGHT (Centre Simcoe).

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 115. 1928.

BILL

An Act to provide for Township Boards of Public School Trustees.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Township School Boards Act, 1928*.

Public schools to be administered by township boards.

2. From and after the coming into force of this Act, all the public schools in every township shall be administered by a board of trustees to be known as "The Township Board" of public school trustees (A, B, or C) for the township of ..... (naming township) and such board is hereinafter referred to as "a township board." In case only one board is elected in a township, in accordance with the scheme set forth in section 3, the designation A, B, or C, for the board shall not be used.

Board,— how constituted.

3. A township board shall consist of not less than three nor more than ten members to be elected from the school areas in the township determined in the manner hereinafter provided,—

Township with only one section.

1. In a township containing only one school section, the section shall constitute the school area and the township board shall consist of three trustees to be elected by the electors in the area;

Where there are two sections.

2. In a township containing only two school sections, each section shall constitute a school area and the board shall consist of three members, one to be elected by the electors in each of the areas separately and the third by the electors in the areas combined;

Where there are not less than three nor more than ten sections.

3. In a township containing not less than three nor more than ten sections, each section shall constitute a school area and the township board shall be composed of as many members as there are areas, each area electing one member;

Where there are not less than eleven nor more than twenty sections.

4. In a township containing not less than eleven nor more than twenty sections the council of the township shall divide the sections into two groups with as nearly as possible an equal number of sections in each, and each of these groups of sections shall elect a township board. Each school section shall constitute a school area, and each township board shall be composed of as many members as there are areas, each area electing one member. The township council shall designate the two boards A and B, respectively;

Where there are not less than twenty-one nor more than thirty sections.

5. In a township containing not less than twenty-one nor more than thirty sections, the council of the township shall divide the section into three groups with as nearly as possible an equal number of sections in each, and each of these groups of sections shall elect a township board. Each school section shall constitute a school area, and each township board shall be composed of as many members as there are areas, each area electing one member. The township council shall designate the three boards A, B, and C, respectively;

Union section.

6. In the case of a union section when the part lying within the township is assessed for at least two-thirds of the average assessment of the remaining sections of the township, such part shall be constituted as a section, but if such part is not so assessed it shall not be constituted as a section for the purpose of electing a trustee, but shall be attached to such contiguous section in the township as may be determined by the council;

Numbering school areas.

7. Every school area shall be designated by a number assigned by the township council.

Procedure at election.

4. The nomination and election of members of a township board shall be conducted in the same manner as nearly as may be and at the same time and place and by the same officers as nominations and elections for the municipal council.

Qualification of trustees.

5. Every ratepayer in the township who is,—

(*a*) a British subject;

(*b*) of the full age of twenty-one years;

(*c*) not a separate school supporter;

(*d*) a resident of the school area in which he seeks election; and

(*e*) not disqualified by *The Public Schools Act*, or any other Act, Rev. Stat. c. 323.

may be elected a member of the township board.

Ballot papers for each school area.

6. The clerk of the municipality shall prepare for each school area a separate set of ballot papers containing the names of the candidates in the same form *mutatis mutandis* as those used for members of the council and shall provide for each polling subdivision a sufficient number of ballots to be used by electors in each school area included in whole or in part within the subdivision.

Qualification of electors.

7.—(1) Every person whose name appears upon the last revised voters' list as entitled to vote at municipal elections and who is not a supporter of separate schools shall be entitled to vote at an election of members to the township board.

May vote in each area where qualified.

(2) An elector in any school area shall also be entitled to vote in any other school area for which he is assessed as a ratepayer.

Voters' list to show area in which voter to vote.

(3) The voters' list shall show the number of the school area or areas in which each elector is entitled to vote.

May vote for candidate for each office.

(4) A voter, if qualified to vote therein, may vote in each school area for as many candidates as there are offices to be filled but he shall not vote more than once for any candidate.

Term of office.

8.—(1) Except as hereinafter provided every trustee shall continue in office for two years and until his successor has been appointed and a new board organized.

Retirement of half board annually.

(2) After the first election, one-half of the members, where the number of elected members is an even number, and the next number higher than one-half, where the number of elected members is an odd number, shall continue in office and the remaining members shall continue in office for one year and until their successors are elected and a new board organized.

Determining who shall retire after first election.

(3) The members who, under the provisions of subsection 2, continue in office for one year or for two years shall be determined by lot at the first meeting of the board after their election and such determination shall be entered upon the minutes.

Union schools.

9.—(1) A union school section or a consolidated school section, including an incorporated village, shall remain under its present administration.

(2) A union school or a consolidated school not in an incorporated village, shall be regarded as belonging to the township in which it is located.

Board to settle right to attend any school.

10.—(1) The township board shall determine the schools which the pupils shall respectively attend within the township.

(2) A township board shall have power to arrange with another board, for the joint maintenance of a school.

Non-resident pupils.

(3) A township board shall admit to any school within the township any non-resident pupil if the inspector reports that the accommodation is sufficient for the admission of such pupil and that the school is more accessible for him than any school in the township in which the pupil resides.

Liability of township for non-resident.

(4) When a pupil residing in one township attends school in another township, the township board of the township in which he resides shall each year pay to the township board of the township where he attends school the cost of the education of such pupil.

Determining cost of education of non-resident pupils.

(5) The cost of the education of non-resident pupils shall be determined in the following manner,—

The amount spent in permanent improvements, including the sum included in paying off debentures and the interest thereon, shall be added to the total cost of maintenance of the schools of the township; from this sum shall be deducted the amount apportioned to the schools of the township out of the Legislative grant; the remainder shall be divided by the total number of days' attendance during the year of all the pupils attending the schools of the township, and this amount shall be multiplied by the number of days' attendance during the year of the non-resident pupils.

Section boards dissolved.

11. When a township board has been established all the assets and liabilities of the boards of the several sections of the township shall be vested in and assumed by the township board, and an equitable adjustment of these assets and liabilities amongst the various sections shall be determined by a board of arbitration consisting of the county or district judge, the reeve of the township, and the school inspector.

12.—(1) A township board shall have *mutatis mutandis* the same powers and duties and shall be subject to the same conditions with regard to vacancies on the board, controverted elections and the resignation of members as are prescribed by *The Public Schools Act*, for boards of trustees in urban municipalities. Board to have powers and perform duties of urban board. Rev. Stat. c. 323.

(2) A township board shall have power to make such arrangements for the transportation of pupils to and from school as it may deem expedient. Transportation of pupils.

(3) The trustee who represents each school area shall have such authority as may be determined by resolution of the township board over the schools of the area he represents in regard to repairs, supplies, caretaking, the provision of substitute teachers and such other matters as the township board may deem expedient. Authority of trustee representing school area.

13.—(1) Every township board shall hold its first meeting in each year on the third Wednesday in January at the hour of two o'clock in the afternoon, or at such other hour on the same day and at such place as may have been fixed by resolution of the former board or, if no place has been fixed, at the usual place of meeting of the council of the township. First meeting in each year.

(2) The procedure at such meetings shall be the same as nearly as may be as that prescribed by *The Public Schools Act*, in the case of meetings of urban school boards. Procedure at meeting.

14. This Act shall come into force and have effect upon a day to be named by the Lieutenant-Governor by his Proclamation, and from and after the date so named all the provisions of *The Public Schools Act*, which are inconsistent with the provisions of this Act shall cease to apply and shall be deemed to be repealed. Commencement of Act.

Ontario.
18 George V, 1928.

BILL.

An Act to provide for Township Boards of Public School Trustees.

1st Reading,

March 6th, 1928.

2nd Reading

3rd Reading

MR. FERGUSON.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 116. 1928.

BILL

An Act for the Prevention of Fraud in connection with the Sale of Securities.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Security Frauds Prevention Act, 1928*. Short title.

2. In this Act— Interpretations.

(*a*) "Broker" shall mean every person other than a salesman who engages either for the whole or part of his time directly or through an agent in the business of trading in securities and shall include such officials of a company which trades in securities as may be designated by Regulations.

(*b*) "Company" shall include any association, corporation, company or other incorporated organization, whether acting as a trustee or not. "Company."

(*c*) "Fraud," "fraudulent" and "fraudulent act" shall, in addition to their ordinary meaning, include: "Fraud."

(i) any intentional misrepresentation by word, conduct or in any manner of any material fact either present or past, and any intentional omission to disclose any such fact;

(ii) any promise or representation as to the future which is beyond reasonable expectation and not made in good faith;

(iii) any fictitious or pretended trade in any security;

(iv) the gaining or attempt to gain, directly or indirectly, through a trade in any security, a

commission, fee or profit so large and exorbitant as to be unconscionable and unreasonable;

(v) generally any course of conduct or business which is calculated or put forward with intent to deceive the public or the purchaser of any security as to the nature of any transaction or as to the value of such security;

(vi) the making of any material false statement in any application, information, material or evidence submitted or given to the Attorney-General, his representatives or the Registrar under the provisions of this Act or the Regulations;

(vii) the violation of any provision of this Act or of the Regulations relating to the manner in which brokers or salesmen shall trade in securities and anything specifically designated in the Regulations as coming within the meaning of this definition;

(viii) any artifice, agreement, device or scheme to obtain money, profit or property by any of the means hereinbefore set forth or otherwise contrary to law.

"Person." (*d*) "Person" shall mean an individual, partnership, association, syndicate and any unincorporated organization whether acting as a trustee or not.

"Registrar." (*e*) "Registrar" shall mean the person appointed by the Lieutenant-Governor in Council to act as Registrar under the provisions of this Act and the Regulations.

"Regulations." (*f*) "Regulations" shall mean the regulations made from time to time by the Lieutenant-Governor in Council under the provisions of this Act.

"Salesman." (*g*) "Salesman" shall mean every person, other than a broker, employed, appointed or authorized by any broker or company to trade in securities whether directly or through sub-agents.

"Security." (*h*) "Security" shall, subject to the provisions of subsection 3 of section 3, include any document or instrument commonly known as a security, every documentary evidence of indebtedness or evidence

representing or secured by some title to or interest in the capital, assets, property, profits, earnings or royalties of any person or company or evidence of any option upon a security and anything designated as a security by the Regulations.

"Trade."

(*i*) "Trade" or "Trading" shall, subject to the provisions of subsection 3 of section 3, include any disposition of, transaction in, or attempt to deal in, sell or dispose of a security or interest in or option upon a security for any valuable consideration whether the terms of payment be upon margin, instalment or otherwise, and any underwriting of any issue or part of an issue of a security, and any act, advertisement, conduct or negotiation directly or indirectly in furtherance of any of the foregoing or specifically designated as "trade" or "trading" in the Regulations.

"Trustee."

(*j*) "Trustee" shall mean a person, or a company, as the case may be, executing a trust expressly created by or declared in an instrument in writing other than a will or court order or judgment, where such trust is to carry on any business or to secure the payment or repayment of money.

PART I.

Registration of Brokers and Salesmen.

Brokers and salesmen to be registered.

3.—(1) No person shall trade in any security nor act as an official or salesman of or on behalf of any company in connection with any trade in any security by such company unless he, or the company, is registered as a broker or salesman under the provisions of this Act and the Regulations, and any violation of this section shall constitute an offence.

Company may be registered as a broker.

(2) With the approval of the Attorney-General any company may be registered as a broker, whereupon it may trade in securities and the officials of such company, other than branch managers, may act as such without separate registration, and the provisions of this Act and the regulations relating to registered brokers shall be deemed to apply to such company.

Exemptions.

(3) Subsections 1 and 2 shall not apply to any person in respect of any of the following classes of trades or securities,—

Judicial sales.

(*a*) A trade in a security taking place at a judicial, executor's, administrator's, guardian's or committee's

R.S.C. c. 11 (Dom.), Rev. Stat. cc. 88, 218.

sale, or at a sale by an authorized trustee or assignee, an interim or official receiver or a custodian under *The Bankruptcy Act*, a receiver under *The Judicature Act*, or a liquidator under *The Companies Act*.

Isolated transactions by owner.

(*b*) An isolated trade in a specific security by or on behalf of the owner, for the owner's account, where the owner is not the issuer or underwriter of the security nor the recipient thereof directly or indirectly from the issuer for any consideration in whole or in part other than money, where such trade is not made in the course of continued and successive transactions of a like character.

Banks, etc., Crown, municipal and public officials, and registered persons, etc.

(*c*) A trade where one of the parties is a bank, loan company, trust company or insurance company, or is an official or employee, in the performance of his duties as such, of His Majesty in right of the Dominion or any province or territory of Canada or of any municipal corporation, or public board or commission in Canada or is a person or company registered under the provisions of this Act.

Sale by pledgee for debt.

(*d*) A trade by or for the account of a pledgee or mortgagee for the purpose of liquidating a *bona fide* debt by selling or offering for sale or delivery in good faith in the ordinary course of business a security pledged in good faith as security for such debt.

Stock dividends, etc.

(*e*) The distribution, issuance or sale by a company exclusively to the holders of its securities of capital stock, bonds or other securities as a stock dividend or other distribution out of earnings or surplus, or in the process of a *bona fide* re-organization of the company, or of additional capital stock where no commission or other remuneration is paid or given in connection therewith.

Exchange on merger.

(*f*) The exchange by or on account of one company with another company of its own securities in connection with a consolidation, amalgamation or merger of either company.

Prospector's "grubstake" or share in claim.

(*g*) A trade in good faith by an actual prospector of a security issued by him for the purpose of financing a prospecting expedition, or for the purpose of disposing of any of his interest in a mining claim or property staked by or wholly or partly owned by him.

(*h*) Securities in which trust funds may lawfully be invested in Ontario. Trust.

(*i*) Bonds or notes secured by mortgage upon real estate or tangible personal property where the entire mortgage, together with all of the bonds or notes secured thereby are sold at the one time. Secured bonds.

(*j*) Negotiable promissory notes or commercial paper maturing not more than a year from the date of issue. Negotiable paper.

(*k*) Securities evidencing indebtedness due under any contract made pursuant to the provisions of any statute of any province of Canada providing for the acquisition of personal property under conditional sales contracts. Securities based upon conditional sales.

(*l*) Securities issued by a person or company organized exclusively for educational, benevolent, fraternal, charitable, or recreational purposes and not for pecuniary profit, where no part of the net earnings thereof enure to the benefit of any security holder. Shares of non-profit-sharing companies.

(*m*) Any class of trade or security specifically exempted from the application of subsections 1 and 2 of this section by the Regulations. Trades or securities exempted by Regulations.

4.—(1) Unless the Attorney-General otherwise directs the Registrar may within ten days after the receipt by him of any application for registration cause to be entered in a book kept for such purpose and open to public inspection, hereinafter called the "Register," the name and address for service of such applicant, whereupon such applicant shall be deemed to be registered as a broker or salesman as the case may be. Registration within ten days unless Attorney-General objects.

(2) The Registrar may upon the direction of the Attorney-General or his representative authorized in writing cause a temporary entry to be made, designated as such, in the register, subject to cancellation at any time upon the order of the Attorney-General. Temporary registration.

(3) Registrations shall expire, and may be changed or renewed as the Regulations shall provide. Expiration, change and renewal of registration.

5.—(1) Every application under this Act or the Regulations shall be made in writing upon the forms provided by the Registrar, and shall be accompanied by the fee prescribed by the Regulations and such bond as may be required. Application to be upon forms with proper fees and bonds.

Address for service.

(2) Every applicant, whether domiciled in Ontario or not, shall state in every application an address for service in Ontario, and all notices under this Act or the Regulations and all legal process issued by or on behalf of any person or company shall be sufficiently served for all purposes if posted by registered mail to the applicant at the latest address for service so stated, and in the case of a non-registered company where the officials are registered to the latest address of the person registered as the senior official of such company in Ontario.

Further information.

(3) The Registrar may from time to time and shall when so directed by the Attorney-General require any further information or material to be submitted by any applicant or any registered person or company within a specified time limit and may require verification by affidavit or otherwise of any matter then or previously submitted.

$500 bond by every broker and applicant.

6.—(1) Every applicant for registration as a broker shall before registration submit a bond by the applicant or the person or company he represents as the Registrar may require, such bond to be in the sum of $500 and in such form and upon such condition as the Regulations shall prescribe.

Bond by a surety company if required.

(2) The Registrar may and when so directed by the Attorney-General shall require any applicant or any registered person or company within a specified time limit to deliver a bond by a surety company approved by the Attorney-General in such form and upon such condition as the Regulations shall prescribe, and in such amount as the Regulations or the Attorney-General shall require.

New bond.

(3) The Registrar may and when so directed by the Attorney-General shall require a new bond of the kind mentioned in subsections 1 or 2 to be filed within a specified time limit.

Forfeiture of bonds.

7.—(1) Any bond mentioned in section 6 shall be forfeit and the sum named therein shall become due and owing by the person or company bound thereby as a debt to His Majesty in right of the Province of Ontario when there has been filed with the Registrar the Attorney-General's certificate that the person or company in respect of whose conduct the bond is conditioned, or any official, employee or salesman of such company has, in connection with a trade in a security, been,—

$500 bond.

(*a*) in the case of the bond mentioned in subsection 1 of section 6,

(i) charged with any criminal offence, or,

(ii) found upon investigation by the Attorney-General or his representative to have committed a fraudulent act, or

(*b*) in the case of the bond mentioned in subsection 2 of section 6, Bond by surety company.

(i) convicted of a criminal offence, or

(ii) convicted of an offence against any provision of this Act or the Regulations, or

(iii) enjoined by the Supreme Court or a Judge thereof otherwise than by an interim injunction.

(2) The Attorney-General may assign any bond forfeited under the provisions of subsection 1, or may pay over any monies required thereunder to any person, or to the accountant of the Supreme Court in trust for such persons and companies as may become judgment creditors of the person or company bonded, or to any trustee, custodian, interim receiver, receiver or liquidator of such person or company as the case may be, such assignment or payment over to be in accordance with and upon conditions set forth in the Regulations or in any special order of the Lieutenant-Governor in Council. Assignment of bond or payment of monies to creditors.

8.—(1) The Attorney-General may order that,— Attorney-General's orders concerning applications.

(*a*) any application for registration, renewal or change of registration shall or shall not be granted for any reason which he may deem sufficient, or that

(*b*) the application of any person for registration shall not be granted where it appears that such person proposes to use or is using a trading name other than his own, or that of his partner, where such trading name is apt to lead the public to believe it is that of a business firm of longer established standing in Ontario, or is calculated to conceal from the public the identity of the applicant, or is for any reason objectionable, or that Deceptive names.

(*c*) any temporary entry in the register shall be made, suspended or cancelled for any reason which he may deem sufficient, or that Temporary entries.

(*d*) the registration of any person or company shall be suspended for any period or cancelled by reason of Suspension or cancellation for default.

default in filing a bond when required under the provisions of subsections 2 and 3 of section 6, or that

Suspension under Part II.

(*e*) the registration of any person or company shall be suspended as provided in section 10,

and no order of the Attorney-General shall be subject to review in any way in any court.

Entry or suspension or cancellation.

(2) The Registrar upon receiving any order of the Attorney-General suspending or cancelling any registration shall cause immediate entry thereof to be made in the register whereupon the suspension or cancellation shall become effective forthwith, but notice thereof and of the refusal of any application shall be sent to the person or company concerned.

Further applications.

(3) Notwithstanding any order of the Attorney-General a further application may be made upon new or other material, or where it is clear that material circumstances have changed.

PART II.

Investigation and Action by the Attorney-General.

Investigation by Attorney-General.

9.—(1) The Attorney-General, or any person to whom as his representative he may in writing delegate such authority, may examine any person or thing whatsoever at any time in order to ascertain whether any fraudulent act, or any offence against this Act or of the Regulations has been, is being, or is about to be committed, and for such purpose shall have the same power to summon and enforce the attendance of witnesses and compel them to give evidence on oath and to produce documents, records and things as is vested in the Supreme Court or a Judge thereof for the trial of civil cases.

Failure to give information, etc., an offence and also *prima facie* evidence.

(2) The failure without reasonable excuse of any person or company to furnish information required by the Registrar under Part I within the time limited, or the failure without reasonable excuse of any person summoned for examination under subsection 1 to appear or his refusal to give evidence, or to answer any question, or the failure without reasonable excuse or refusal of any person or company to produce anything where the evidence, answer or production would be required in an action shall constitute an offence and shall also be *prima facie* evidence upon which,—

(*a*) the Attorney-General, or his representative, may base an affirmative finding concerning any fraudulent act to which he may deem it relevant, or

(*b*) the Supreme Court, or a Judge thereof, may grant an interim or permanent injunction, or

(*c*) a police magistrate may base a conviction for an offence against this Act or the Regulations.

Evidence not to be disclosed.

(3) Disclosure by any person other than the Attorney-General, his representative or the Registrar, without the consent of any one of them, of any information or evidence obtained or the name of any witness examined or sought to be examined under subsection 1 shall constitute an offence.

Attorney-General may

10. If the Attorney-General or his representative upon investigation finds that any fraudulent act, or that any offence against this Act or the Regulations, has been, is being, or is about to be committed, the Attorney-General may,—

suspend for over ten days

(*a*) where a registered broker, company or salesman is in his opinion concerned therein, order that the broker, company or salesman and any other registered broker, company or salesman connected with the same organization, shall be suspended from registration for any period not exceeding ten days, or

and proceed by injunction.

(*b*) where the Attorney-General considers a suspension for ten days inadequate, or where any unregistered person or company is in his opinion concerned in such fraudulent act or in such offence, he may proceed under the provisions of section 11, or, otherwise under this Act or the Regulations.

Supreme Court or Judge may enjoin from trading in securities.

11.—(1) The Supreme Court or any Judge thereof is hereby empowered upon the application of the Attorney-General, where it is made to appear upon the material filed or evidence adduced that any fraudulent act, or any offence against this Act or the Regulations has been, is being or is about to be committed may by order enjoin,—

(*a*) any registered broker, company or salesman or any person or company implicated with any of them in the same matter from trading in any security whatever for such period as shall seem just, and any such injunction shall *ipso facto* suspend the registration of any registered person or company named in the order during the same period, or

(*b*) any person or company from trading in any security whatever, or in any specific security, or from committing any specific fraudulent act or series of fraudulent acts.

Application may be *ex parte*

(2) The application of the Attorney-General under subsection 1 may be made without issuance or service of a writ of summons, either,—

(*a*) by an *ex parte* motion for an interim injunction which shall, if granted, remain in full force for ten days from the date thereof unless the time is extended or the originating motion mentioned in clause *b* hereof is sooner heard and determined, or

or by originating notice.

(*b*) by an originating notice of motion, which, if an interim injunction has been granted, shall be served within five and returnable within ten days from the date of such interim injunction.

Consolidated Rules of Practice and Procedure to apply.

Rev. Stat. c. 88.

(3) All proceedings under this section, whether *ex parte* or by originating notice including appeals therefor, shall be conducted in accordance with the provisions of *The Judicature Act* and the Consolidated Rules of Practice and Procedure made thereunder as far as the same are applicable to proceedings of a like nature, save that service of the originating notice shall be in accordance with subsection 2 of section 5, and save that costs may be awarded to but not against the Attorney-General.

Evidence.

(4) Any information, evidence, exhibit or thing obtained by the Attorney-General or his representative or the Registrar under the provisions of this Act or the Regulations, or copies thereof, certified by the Attorney-General or the Registrar shall, so far as relevant, be receivable in evidence for all purposes in any action, proceeding or prosecution and, in proceedings under this section only, the evidence of a witness may be used against him notwithstanding anything in *The Evidence Act* contained.

Rev. Stat. c. 107.

Attorney-General may order funds, etc., to be held

12.—(1) The Attorney-General may,—

(*a*) when he is about to examine or during or after the examination of any person or company under the provisions of section 9, or

(*b*) when he is about to apply for or has applied for or has obtained an injunction interim or otherwise against any person or company under the provisions of section 11, or

(*c*) where criminal proceedings which in his opinion are connected with or arise out of any security or any trade therein, or out of any business conducted by the accused are about to be or have been instituted against any person,

in writing direct any person or company having on deposit or under control or for safe keeping any funds or securities of the person or company so to be or actually examined, enjoined or charged, to hold such funds or securities in trust for any interim receiver, custodian, trustee, receiver or liquidator appointed under the provisions of *The Bankruptcy Act*, *The Judicature Act* or *The Companies Act*, or until the Attorney-General in writing revokes such direction, and failure by any person or company to comply with such direction shall constitute an offence.

and may take bankruptcy proceedings, etc.

(2) The Attorney-General, whenever His Majesty becomes a creditor of any person or company in respect of a debt to the Crown arising from the provisions of sections 6 and 7, may take such proceedings as he shall see fit under *The Bankruptcy Act*, *The Judicature Act* or *The Companies Act* for the appointment of an interim receiver, custodian, trustee, receiver or liquidator as the case may be.

R.S.C., c. 11 (Dom.), Rev. Stat. cc. 88, 218.

PART III.

General Provisions.

Judge not *persona designata*

13.—(1) A judge of the Supreme Court in exercising any of the powers conferred upon such judge by this Act shall be deemed so to act as a judge of such court and not as *persona designata*.

nor Attorney-General.

(2) The Attorney-General shall in all proceedings under this Act or the Regulations be deemed to be acting as the representative of His Majesty in the right of the Province of Ontario, and not as *persona designata*.

No action, etc., against persons administering this Act.

14.—(1) No action whatever, and no proceedings by way of injunction, mandamus, prohibition or other extraordinary remedy shall lie or be instituted against any person whether in his public or private capacity in respect of any act or omission in connection with the administration or carrying out of the provisions of this Act or the Regulations where such person is the Attorney-General or his representative, or the Registrar or where such person was proceeding under the written or verbal direction or consent of any one of them.

Regulations, general powers.

15. The Lieutenant-Governor in Council may make and from time to time amend, alter or repeal regulations not inconsistent with this Act for the better carrying out of the provisions of this Act, for the more efficient administration thereof and for the prevention of fraud in trading in securities whether upon any stock exchange or elsewhere in Ontario,

for the creation of offences, and for any other purpose elsewhere indicated in this Act, and all such regulations and any amendment, alteration or repeal thereof shall become effective in all respects as if enacted in this Act upon the publication thereof in the *Ontario Gazette*.

Penalties.

16.—(1) Every person who violates any provision of this Act or the Regulations designated as an offence, or who does any fraudulent act not punishable under the provisions of the Criminal Code of Canada, shall be liable upon conviction thereof under *The Summary Convictions Act* to a penalty of not more than $1,000 for a first offence, nor $2,000 for a second or subsequent offence, and in case of either a first or a subsequent offence either in default of payment of any penalty imposed, or in addition to such penalty, to imprisonment for a term not exceeding six months.

Rev. Stat. c. 121.

Companies.

(2) The provisions of subsection 1 shall be deemed to apply *mutatis mutandis*, to any company save that the money penalties may be increased in the discretion of the magistrate to a sum not exceeding $25,000.

Consent of the Attorney-General required.

(3) No proceedings under this section shall be instituted except with the consent or under the direction of the Attorney-General.

Expenses.

17. Section 17 of *The Audit Act* shall apply in respect of any legislative appropriation for the administration of this Act.

Rev. Stat. c. 25.

Commencement of Act.

18. This Act shall come into force on a day to be named by the Lieutenant-Governor in his Proclamation.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act for the Prevention of Fraud in connection with the Sale of Securities.

1st Reading,

March 7th, 1928.

2nd Reading

3rd Reading

MR. PRICE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 116. 1928.

BILL

An Act for the Prevention of Fraud in connection with the Sale of Securities.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Security Frauds Prevention Act, 1928.* Short title.

2. In this Act— Interpretations.

(*a*) "Broker" shall mean every person other than a salesman who engages either for the whole or part of his time directly or through an agent in the business of trading in securities and shall include such officials of a company *or partnership* which trades in securities as may be designated by the Regulations.

(*b*) "Company" shall include any association, corporation, company or other incorporated organization, whether acting as a trustee or not. "Company."

(*c*) "Fraud," "fraudulent" and "fraudulent act" shall, in addition to their ordinary meaning, include: "Fraud."

(i) any intentional misrepresentation by word, conduct or in any manner of any material fact either present or past, and any intentional omission to disclose any such fact;

(ii) any promise or representation as to the future which is beyond reasonable expectation and not made in good faith;

(iii) any fictitious or pretended trade in any security;

(iv) the gaining or attempt to gain, directly or indirectly, through a trade in any security, a

commission, fee or profit so large and exorbitant as to be unconscionable and unreasonable;

(v) generally any course of conduct or business which is calculated or put forward with intent to deceive the public or the purchaser of any security as to the nature of any transaction or as to the value of such security;

(vi) the making of any material false statement in any application, information, material or evidence submitted or given to the Attorney-General, his representative or the Registrar under the provisions of this Act or the Regulations; *or in any prospectus or return filed with the Provincial Secretary.*

(vii) the violation of any provision of this Act or of the Regulations relating to the manner in which brokers or salesmen shall trade in securities and anything specifically designated in the Regulations as coming within the meaning of this definition;

(viii) any artifice, agreement, device or scheme to obtain money, profit or property by any of the means hereinbefore set forth or otherwise contrary to law.

"Person." (*d*) "Person" shall mean an individual, partnership, association, syndicate and any unincorporated organization whether acting as a trustee or not.

"Registrar." (*e*) "Registrar" shall mean the person appointed by the Lieutenant-Governor in Council to act as Registrar under the provisions of this Act and the Regulations.

"Regulations." (*f*) "Regulations" shall mean the regulations made from time to time by the Lieutenant-Governor in Council under the provisions of this Act.

"Salesman." (*g*) "Salesman" shall mean every person employed, appointed or authorized by any broker or company to trade in securities whether directly or through sub-agents.

"Security." (*h*) "Security" shall, subject to the provisions of subsection 3 of section 3, include any document or instrument commonly known as a security, every

documentary evidence of indebtedness or evidence representing or secured by some title to or interest in the capital, assets, property, profits, earnings or royalties of any person or company, *evidence of membership in an association of heirs* or evidence of any option upon a security and anything designated as a security by the Regulations.

(*i*) "Trade" or "Trading" shall, subject to the provisions of subsection 3 of section 3, include any disposition of, transaction in, or attempt to deal in, sell or dispose of a security or interest in or option upon a security for any valuable consideration whether the terms of payment be upon margin, instalment or otherwise, and any underwriting of any issue or part of an issue of a security, and any act, advertisement, conduct or negotiation directly or indirectly in furtherance of any of the foregoing or specifically designated as "trade" or "trading" in the Regulations. "Trade."

(*j*) "Trustee" shall mean a person, or a company, as the case may be, executing a trust expressly created by or declared in an instrument in writing other than a will or court order or judgment, where such trust is to carry on any business or to secure the payment or repayment of money. "Trustee."

PART I.

Registration of Brokers and Salesmen.

☞**3**.—(1) No person shall,—

(*a*) trade in any security unless he is registered as a broker or salesman, or Brokers, officials and salesmen to register.

(*b*) act as an official of or on behalf of any partnership or company in connection with any trade in any security by the partnership or company, unless he or the partnership or company is registered as a broker,

(*c*) act as a salesman of or on behalf of any partnership or company in connection with any trade in any security by the partnership or company, unless he is registered as a salesman,

and such registrations have been made in accordance with the provisions of this Act and the Regulations, and any violation of this section shall constitute an offence.

Partnership or ompany may be registered.

(2) With the approval of the Attorney-General, any partnership or company may be registered as a broker, whereupon the partnership or company may trade in securities, and the members and officials of the partnership, and the officials of the company other than branch managers or salesmen of the partnership or company, may act as such without separate registration, and the provisions of this Act, and of the Regulations relating to registered persons or companies, shall be deemed to apply to such partnership or company.

Exemptions.

(3) Subsections 1 and 2 shall not apply to any person in respect of any of the following classes of trades or securities,—

Judicial sales.

(*a*) A trade in a security taking place at a judicial, executor's, administrator's, guardian's or committee's sale, or at a sale by an authorized trustee or assignee, an interim or official receiver or a custodian under *The Bankruptcy Act*, a receiver under *The Judicature Act*, or a liquidator under *The Companies Act or The Winding Up Act.*

R.S.C. cc. 11, 213. (Dom.), Rev. Stat. cc. 88, 218.

Isolated transactions by owner.

(*b*) An isolated trade in a specific security by or on behalf of the owner, for the owner's account, where such trade is not made in the course of continued and successive transactions of a like character.

Banks, etc., Crown, municipal and public officials, and registered persons, etc.

(*c*) A trade where one of the parties is a bank, loan company, trust company or insurance company, or is an official or employee, in the performance of his duties as such, of His Majesty in right of the Dominion or any province or territory of Canada or of any municipal corporation, or public board or commission in Canada or is registered *as a broker* under the provisions of this Act.

Sale by pledgee for debt.

(*d*) A trade by or for the account of a pledgee or mortgagee for the purpose of liquidating a *bona fide* debt by selling or offering for sale or delivery in good faith in the ordinary course of business a security pledged in good faith as security for such debt.

Stock dividends, etc.

(*e*) The distribution, issuance or sale by a company exclusively to the holders of its securities of capital stock, bonds or other securities as a stock dividend or other distribution out of earnings or surplus, or in the process of a *bona fide* re-organization of the company, or of additional capital stock where no commission or other remuneration is paid or given in connection therewith.

(*f*) The exchange by or on account of one company with another company of its own securities in connection with a consolidation, amalgamation or merger of either company. Exchange on merger.

(*g*) A trade in good faith by an actual prospector of a security issued by him for the purpose of financing a prospecting expedition, or for the purpose of disposing of any of his interest in a mining claim or property staked by or wholly or partly owned by him. Prospector's "grubstake" or share in claim.

(*h*) Securities in which trust funds may lawfully be invested in Ontario. Trust.

(*i*) Bonds or notes secured by mortgage upon real estate or tangible personal property where the entire mortgage, together with all of the bonds or notes secured thereby are sold at the one time. Secured bonds.

(*j*) Negotiable promissory notes or commercial paper maturing not more than a year from the date of issue. Negotiable paper.

(*k*) Securities evidencing indebtedness due under any contract made pursuant to the provisions of any statute of any province of Canada providing for the acquisition of personal property under conditional sales contracts. Securities based upon conditional sales.

(*l*) Securities issued by a person or company organized exclusively for educational, benevolent, fraternal, charitable, or recreational purposes and not for pecuniary profit, where no part of the net earnings thereof enure to the benefit of any security holder. Shares of non-profit-sharing companies.

(*m*) Any class of trade or security specifically exempted from the application of subsections 1 and 2 of this section by the Regulations. Trades or securities exempted by Regulations.

4.—(1) Unless the Attorney-General otherwise directs the Registrar may within ten days after the receipt by him of any application for registration cause to be entered in a book kept for such purpose and open to public inspection, hereinafter called the "Register," the name and address for service of such applicant, whereupon such applicant shall be deemed to be registered as a broker or salesman as the case may be. Registration within ten days unless Attorney-General objects.

(2) The Registrar may upon the direction of the Attorney-General or his representative authorized in writing cause a Temporary registration.

temporary entry to be made, designated as such, in the register, subject to cancellation at any time upon the order of the Attorney-General.

Expiration, change and renewal of registration.

(3) Registrations shall expire, and may be changed or renewed as the Regulations shall provide.

Application to be upon forms with proper fees and bonds.

5.—(1) Every application under this Act or the Regulations shall be made in writing upon the forms provided by the Registrar, and shall be accompanied by the fee prescribed by the Regulations and such bond as may be required.

Address for service.

(2) Every applicant, whether domiciled in Ontario or not, shall state in every application an address for service in Ontario, and all notices under this Act or the Regulations and all legal process issued by or on behalf of any person or company shall be sufficiently served for all purposes if posted by registered mail to the applicant at the latest address for service so stated, and in the case of a non-registered company where the officials are registered to the latest address of the person registered as the senior official of such company in Ontario.

Further information.

(3) The Registrar may from time to time and shall when so directed by the Attorney-General require any further information or material to be submitted by any applicant or any registered person or company within a specified time limit and may require verification by affidavit or otherwise of any matter then or previously submitted.

$500 bond by every broker and applicant.

6.—(1) Every applicant for registration as a broker shall before registration submit a bond by the applicant or the person or company he represents as the Registrar may require, such bond to be in the sum of $500 and in such form and upon such condition as the Regulations shall prescribe.

Bond by a surety company if required.

(2) The Registrar may and when so directed by the Attorney-General shall require any applicant or any registered person or company within a specified time limit to deliver a bond by a surety company approved by the Attorney-General in such form and upon such condition as the Regulations shall prescribe, and in such amount as the Regulations or the Attorney-General shall require.

New bond.

(3) The Registrar may and when so directed by the Attorney-General shall require a new bond of the kind mentioned in subsections 1 or 2 to be filed within a specified time limit.

Forfeiture of bonds.

7.—(1) Any bond mentioned in section 6 shall be forfeit

and the sum named therein shall become due and owing by the person or company bound thereby as a debt to His Majesty in right of the Province of Ontario when there has been filed with the Registrar the Attorney-General's certificate that the person or company in respect of whose conduct the bond is conditioned, or any official, employee or salesman of such company has, in connection with a trade in a security, been,—

(*a*) in the case of the bond mentioned in subsection 1 of section 6, $500 bond.

(i) charged with any criminal offence, or,

(ii) found upon investigation by the Attorney-General or his representative to have committed a fraudulent act, or

(*b*) in the case of the bond mentioned in subsection 2 of section 6, Bond by surety company.

(i) convicted of a criminal offence, or

(ii) convicted of an offence against any provision of this Act or the Regulations, or

(iii) enjoined by the Supreme Court or a Judge thereof otherwise than by an interim injunction.

(2) The Attorney-General may assign any bond forfeited under the provisions of subsection 1, or may pay over any monies required thereunder to any person, or to the accountant of the Supreme Court in trust for such persons and companies as may become judgment creditors of the person or company bonded, or to any trustee, custodian, interim receiver, receiver or liquidator of such person or company as the case may be, such assignment or payment over to be in accordance with and upon conditions set forth in the Regulations or in any special order of the Lieutenant-Governor in Council. Assignment of bond or payment of monies to creditors.

8.—(1) The Attorney-General may order that,— Attorney-General's orders concerning applications.

(*a*) any application for registration, renewal or change of registration shall or shall not be granted for any reason which he may deem sufficient, or that

(*b*) the application of any person for registration shall not be granted where it appears that such person proposes to use or is using a trading name other than his own, or that of his partner, where such Deceptive names.

trading name is apt to lead the public to believe it is that of a business firm of longer established standing in Ontario, or is calculated to conceal from the public the identity of the applicant, or is for any reason objectionable, or that

Temporary entries.

(*c*) any temporary entry in the register shall be made, suspended or cancelled for any reason which he may deem sufficient, or that

Suspension or cancellation for default.

(*d*) the registration of any person or company shall be suspended for any period or cancelled by reason of default in filing a bond when required under the provisions of subsections 2 and 3 of section 6, or that

Suspension under Part II.

(*e*) the registration of any person or company shall be suspended as provided in section 10,

and no order of the Attorney-General shall be subject to review in any way in any court.

Entry or suspension or cancellation.

(2) The Registrar upon receiving any order of the Attorney-General suspending or cancelling any registration shall cause immediate entry thereof to be made in the register whereupon the suspension or cancellation shall become effective forthwith, but notice thereof and of the refusal of any application shall be sent to the person or company concerned.

Further applications.

(3) Notwithstanding any order of the Attorney-General a further application may be made upon new or other material, or where it is clear that material circumstances have changed.

PART II.

Investigation and Action by the Attorney-General.

Investigation by Attorney-General.

9.—(1) The Attorney-General, or any person to whom as his representative he may in writing delegate such authority, may examine any person or thing whatsoever at any time in order to ascertain whether any fraudulent act, or any offence against this Act or of the Regulations has been, is being, or is about to be committed, and for such purpose shall have the same power to summon and enforce the attendance of witnesses and compel them to give evidence on oath and to produce documents, records and things as is vested in the Supreme Court or a Judge thereof for the trial of civil cases.

Failure to give information, etc., an offence and also *prima facie* evidence.

(2) The failure without reasonable excuse of any person or company to furnish information required by the Registrar under Part I within the time limited, or the failure without

reasonable excuse of any person summoned for examination under subsection 1 to appear or his refusal to give evidence, or to answer any question, or the failure without reasonable excuse or refusal of any person or company to produce anything where the evidence, answer or production would be required in an action shall constitute an offence and shall also be *prima facie* evidence upon which,—

(*a*) the Attorney-General, or his representative, may base an affirmative finding concerning any fraudulent act to which he may deem it relevant, or

(*b*) the Supreme Court, or a Judge thereof, may grant an interim or permanent injunction, or

(*c*) a police magistrate may base a conviction for an offence against this Act or the Regulations.

Evidence not to be disclosed.

(3) Disclosure by any person other than the Attorney-General, his representative or the Registrar, without the consent of any one of them, of any information or evidence obtained or the name of any witness examined or sought to be examined under subsection 1 shall constitute an offence.

Attorney-General may

10. If the Attorney-General or his representative upon investigation finds that any fraudulent act, or that any offence against this Act or the Regulations, has been, is being, or is about to be committed, the Attorney-General may,—

suspend for over ten days

(*a*) where a registered broker, company or salesman is in his opinion concerned therein, order that the broker, company or salesman and any other registered broker, company or salesman connected with the same organization, shall be suspended from registration for any period not exceeding ten days, or

and proceed by injunction.

(*b*) where the Attorney-General considers a suspension for ten days inadequate, or where any unregistered person or company is in his opinion concerned in such fraudulent act or in such offence, he may proceed under the provisions of section 11, or, otherwise under this Act or the Regulations.

Notice of fraud.

(*c*) give notice of the fraudulent act to the public by advertisement or otherwise or to any individual by letter or otherwise, whenever he deems it advisable.

Supreme Court or Judge may enjoin from trading in securities.

11.—(1) The Supreme Court or any Judge thereof is hereby empowered upon the application of the Attorney-

General, where it is made to appear upon the material filed or evidence adduced that any fraudulent act, or any offence against this Act or the Regulations has been, is being or is about to be committed may by order enjoin,—

(*a*) any registered broker, company or salesman or any person or company implicated with any of them in the same matter from trading in any security whatever *absolutely or* for such period *of time* as shall seem just, and any such injunction shall *ipso facto* suspend the registration of any registered person or company named in the order during the same period, or

(*b*) any person or company from trading in any security whatever, or in any specific security, or from committing any specific fraudulent act or series of fraudulent acts ***absolutely or for such period of time as shall seem just.***

Application may be *ex parte*

(2) The application of the Attorney-General under subsection 1 may be made without *any action being instituted*, either,—

(*a*) by an *ex parte* motion for an interim injunction which shall, if granted, remain in full force for ten days from the date thereof unless the time is extended or the originating motion mentioned in clause *b* hereof is sooner heard and determined, or

or by originating notice.

(*b*) by an originating notice of motion, which, if an interim injunction has been granted, shall be served within five and returnable within ten days from the date of such interim injunction.

Evidence.

(3) Any information, evidence, exhibit or thing obtained by the Attorney-General or his representative or the Registrar under the provisions of this Act or the Regulations, or copies thereof, certified by the Attorney-General or the Registrar shall, so far as relevant, be receivable in evidence for all purposes in any action, proceeding or prosecution and, in proceedings under this section only, the evidence of a witness may be used against him notwithstanding anything in *The Evidence Act* contained.

Rev. Stat. c. 107.

Attorney-General may order funds, etc., to be held

12.—(1) The Attorney-General may,—

(*a*) when he is about to examine or during or after the examination of any person or company under the provisions of section 9, or

(*b*) when he is about to apply for or has applied for or has obtained an injunction interim or otherwise against any person or company under the provisions of section 11, or

(*c*) where criminal proceedings which in his opinion are connected with or arise out of any security or any trade therein, or out of any business conducted by the accused are about to be or have been instituted against any person,

☞in writing or by telegram direct any person or company having in Ontario on deposit or under control or for safe keeping any funds or securities of the person or company so to be or actually examined, enjoined or charged, to hold such funds or securities in trust for any interim receiver, custodian, trustee, receiver or liquidator appointed under the provisions of *The Bankruptcy Act*, *The Judicature Act*, *The Companies Act* or *The Winding Up Act*, or until the Attorney-General in writing revokes such direction or consents to release any particular fund or security from such direction, and failure without reasonable excuse by any person or company to comply with any such direction shall constitute an offence, provided that no such direction shall apply to funds or securities in a stock exchange clearing house nor to securities in process of transfer by a transfer agent unless such direction expressly so states, and in the case of a bank, loan or trust company the direction shall only apply to the offices, branches or agencies thereof named in the direction. Proviso.

(2) Any person or company in receipt of a direction given under subsection 1, if in doubt as to the application of such direction to any funds or security, or in case of a claim being made thereto by any person or company not named in such direction, may apply to the Supreme Court or a judge thereof who may direct the disposition of such fund or security and may make such order as to costs as may seem just.☜ Application for direction

(3) The Attorney-General, whenever His Majesty becomes a creditor of any person or company in respect of a debt to the Crown arising from the provisions of sections 6 and 7, may take such proceedings as he shall see fit under *The Bankruptcy Act*, *The Judicature Act*, *The Companies Act or The Winding Up Act* for the appointment of an interim receiver, custodian, trustee, receiver or liquidator as the case may be. and may take bankruptcy proceedings, etc. R.S.C. cc. 11, 213. (Dom.), Rev. Stat. cc. 88, 218.

PART III.

General Provisions.

Judge not *persona designata*

13.—(1) A judge of the Supreme Court in exercising any of the powers conferred upon such judge by this Act shall be deemed so to act as a judge of such court and not as *persona designata*.

nor Attorney-General.

(2) The Attorney-General shall in all proceedings under this Act or the Regulations be deemed to be acting as the representative of His Majesty in the right of the Province of Ontario, and not as *persona designata*.

Judicature Act and Rules apply Rev. Stat., c. 88.

(3) The provisions of *The Judicature Act* and the Consolidated Rules of Practice and Procedure made thereunder so far as they are applicable to proceedings of a like nature, including those relating to appeals and to the enforcement of judgments and orders, shall apply to every proceeding before the Supreme Court or a judge thereof under the provisions of this Act, save that service of notices and other legal process shall be in accordance with subsection 2 of section 5 and save that costs may be awarded to but not against the Attorney-General.

No action, etc., against persons administering this Act.

14.—(1) No action whatever, and no proceedings by way of injunction, mandamus, prohibition or other extraordinary remedy shall lie or be instituted against any person whether in his public or private capacity *or against any company* in respect of any act or omission in connection with the administration or carrying out of the provisions of this Act or the Regulations where such person is the Attorney-General or his representative, or the Registrar or where such person *or company* was proceeding under the written or verbal direction or consent of any one of them, *or under an order of the Supreme Court or a judge thereof made under the provisions of this Act.*

Regulations, general powers.

15. The Lieutenant-Governor in Council may make and from time to time amend, alter or repeal regulations not inconsistent with this Act for the better carrying out of the provisions of this Act, for the more efficient administration thereof and for the prevention of fraud in trading in securities whether upon any stock exchange or elsewhere in Ontario, for the creation of offences, and for any other purpose elsewhere indicated in this Act, and all such regulations and any amendment, alteration or repeal thereof shall become effective in all respects as if enacted in this Act upon the publication thereof in the *Ontario Gazette*.

16.—(1) Every person who violates any provision of this Act or the Regulations designated as an offence, or who does any fraudulent act not punishable under the provisions of the Criminal Code of Canada, shall be liable upon conviction thereof under *The Summary Convictions Act* to a penalty of not more than $1,000 for a first offence, nor $2,000 for a second or subsequent offence, and in case of either a first or a subsequent offence either in default of payment of any penalty imposed, or in addition to such penalty, to imprisonment for a term not exceeding six months. Penalties. Rev. Stat. c. 121.

(2) The provisions of subsection 1 shall be deemed to apply *mutatis mutandis*, to any company save that the money penalties may be increased in the discretion of the magistrate to a sum not exceeding $25,000. Companies.

(3) No proceedings under this section shall be instituted except with the consent or under the direction of the Attorney-General. Consent of the Attorney-General required.

17. Section 17 of *The Audit Act* shall apply in respect of any legislative appropriation for the administration of this Act. Expenses. Rev. Stat. c. 25.

18. This Act *with the exception of Part I* shall come into force *on the day upon which it receives the Royal Assent and Part I shall come into force* on a day to be named by the Lieutenant-Governor in his Proclamation. Commencement of Act.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act for the Prevention of Fraud in connection with the Sale of Securities.

1st Reading,

March 7th, 1928.

2nd Reading

March 20th, 1928.

3rd Reading

MR. PRICE.

(*Reprinted as amended in Committee of the Whole House.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 117. 1928.

BILL

An Act to amend The Children's Protection Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Children's Protection Act, 1928*. Short title.

2.—(1) The clause lettered *d* in section 1 of *The Children's Protection Act* is amended by striking out all the words at the commencement thereof down to the word "court" in the second line and inserting in lieu thereof the words " 'Judge' shall mean judge or junior or acting judge of a county or district court." Rev. Stat., c. 279, s. 1, cl. *d*, amended. "Judge," meaning of.

(2) The clause lettered *g* in the said section 1 is amended as follows: Rev. Stat., c. 279, s. 1, cl. *g*, amended.

(*a*) by striking out the word "by" in the third line of subclause i and inserting in lieu thereof the words "with the consent of"; "Neglected child," meaning of.

(*b*) by adding at the end of subclause ii the words "or who is deserted by one parent and whose other parent is unable to maintain him;

(*c*) by inserting after the word "misfortune" in the fourth line of subclause iii the words "or infirmity";

(*d*) by inserting after the word "who" in the first line of subclause vii the words "with the consent or connivance of his parent or parents" and by striking out all the words in the said subclause after the word "by-law" at the end of the fourth line;

(*e*) by striking out the words "without permission" in the first line of subclause ix and inserting in lieu thereof the words "without sufficient cause habitually";

(*f*) by striking out the words "an illegitimate child" in the first line of subclause x and inserting in lieu thereof the words "a child born out of lawful wedlock";

(*g*) by striking out subclause xii and substituting therefor the following:

(xii) a child who is not being properly cared for or whose only parent is serving a term of imprisonment and who is brought, with the consent of the person in whose charge he is, to the judge to be dealt with under this Act.

Rev. Stat., c. 279, s. 7, subs. 8, repealed.

3.—(1) Subsection 8 of section 7 of *The Children's Protection Act* is repealed and the following substituted therefor:

What order may be made by judge.

(8) If the judge shall find the child to be a neglected child he may make any one of the following orders:

(*a*) That the case be adjourned *sine die* and that the child be returned to his parent or guardian or other person in whose charge he may be, subject to inspection and supervision by the children's aid society; or

(*b*) That the child be temporarily committed to the care and custody of the children's aid society for such specified period as in the circumstances of the case he may deem necessary, provided however, that such period shall not exceed twelve months; or

(*c*) That the child be committed permanently to the care and custody of the children's aid society.

Rev. Stat., c. 279, s. 7, subs. 9, repealed.

(2) Subsection 9 of the said section 7 is repealed and the following substituted therefor:

Procedure where child committed temporarily to care of society.

(9) Where the judge has ordered that a child returned to his parent or guardian or other person in whose charge he may be, shall be under the inspection and supervision of the children's aid society, the society may at any time bring the case again before the judge for further and other consideration and action under this section, and where a child has been temporarily committed to the care and custody of the society, the society may at any time during the period of temporary commitment bring the case again before

the judge for further and other consideration and action under this section, and if the temporary commitment has not been earlier terminated the case shall at the expiration of the specified period again come before the judge and the judge shall thereupon further inquire and determine whether the circumstances justify an order returning the child to the parent or guardian or making a further order under subsection 8.

(*a*) During the period of temporary commitment the society shall keep the child in a temporary home or shelter or in some other suitable place and shall exercise during such period, all the rights of the legal guardian of such child except as to proceedings under *The Adoption Act* and under section 12 of this Act. Rev. Stat. c. 189.

(3) The said section 7 is further amended by adding thereto the following subsection: Rev. Stat., c. 279, s. 7, amended.

(14) A municipal corporation shall not be liable for the maintenance of a neglected child nor for the expenses incurred under subsection 12 unless and until the corporation has received notice in writing of the intention to apply to the judge for an order declaring that the child was properly a resident of the municipality and that the corporation should be so liable for such maintenance or expenses. Notice to municipality before charging maintenance.

4. Section 10 of *The Children's Protection Act* is amended by adding thereto the following subsection: Rev. Stat., c. 279, s. 10, amended.

(9) At any time after the commitment of the child to the care and custody of the children's aid society, the society may apply to the judge for an order for the payment of such additional maintenance as it may deem just. Application for additional maintenance.

5.—(1) Subsection 1 of section 11 of *The Children's Protection Act* is amended by striking out the words "or placed in a foster home" in the second and third lines. Rev. Stat., c. 279, s. 11, subs. 1, amended.

(2) Subsection 2 of the said section 11 is repealed. Rev. Stat., c. 279, s. 11, subs. 2, repealed.

6. Subsection 1 of section 12 of *The Children's Protection Act* is amended by inserting before the word "committed" in the second line the word "permanently." Rev. Stat., c. 279, s. 12, subs. 1, amended.

Rev. Stat., c. 279, s. 13, amended.

7. Section 13 of *The Children's Protection Act* is amended by inserting after the word "neglects" in the second line the words "or fails to support."

Commencement of Act.

8. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Children's Protection Act.

1st Reading,

March 7th, 1928.

2nd Reading

3rd Reading

MR. PRICE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 118. 1928

BILL

An Act to amend The Adoption Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Adoption Act, 1928*. Short title.

2.—(1) Subsection 1 of section 2 of *The Adoption Act* is amended by adding at the end thereof the words "but nothing in this section shall prevent the adoption of any infant born out of wedlock by the mother of such infant, and in the case of her marriage, by her husband, notwithstanding that the mother is less than twenty-five years of age or less than twenty-one years older than the infant." Rev. Stat., c. 189, s. 2, subs. 1, amended. Who may adopt.

(2) Subsection 3 of the said section 2 is amended by adding thereto the following clause: Rev. Stat., c. 189, s. 2, subs. 3, amended.

(*a*) For the purposes of this subsection where a child has been committed to the permanent guardianship of a children's aid society under the provisions of *The Children's Protection Act* the society shall be deemed to be the guardian of the child subject to the provisions of subsection 4 and the consent of the society shall be sufficient. Adoption of neglected child. Rev. Stat. c. 279.

(3) Subsection 4 of the said section 2 is repealed and the following substituted therefor: Rev. Stat., c. 189, s. 2, subs. 4, repealed.

(4) An order of adoption shall not be made unless the provincial officer certifies in writing, Certificate of provincial officer.

(*a*) that the infant has lived for at least two years with the applicant and that during that period the conduct of the applicant and the conditions under which the infant has lived have been such as to justify the making of the order;

(*b*) that the applicant is to the knowledge of the provincial officer a proper person to have the care and custody of the infant and that for the reasons set out in the certificate it is in the best interest of the child that the period of residence be dispensed with.

Rev. Stat., c. 189, s. 2, subs. 6, amended.

(4) Subsection 6 of the said section 2 is amended by striking out the words "a British subject and" in the third line.

Rev. Stat., c. 189, s. 8, subs. 1, repealed.

3. Subsection 1 of section 8 of *The Adoption Act* is repealed and the following substituted therefor:

Jurisdiction as to making order.

(1) The court having jurisdiction to make an adoption order shall be the Supreme Court, or

(i) the judge, or junior, or acting judge of the county or district court; or

(ii) when designated by the Lieutenant-Governor in Council as a judge within the meaning of this Act, the judge of the juvenile court,

within whose jurisdiction either the applicant or the person to be adopted resides at the time of the application for the order.

Rev. Stat., c. 189, s. 13, amended.

4. Section 13 of *The Adoption Act* is amended by adding at the end thereof the words "and may appoint any other officers for the carrying out of this Act and may confer upon any officer so appointed power to administer any oath or take any affidavit or statutory declaration in or relating to any matter arising under the administration of this Act."

Commencement of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

2nd Session, 17th Legislature,
Ontario,
18 George V, 1928.

BILL.

An Act to amend The Adoption Act.

1st Reading

March 7th, 1928.

2nd Reading

3rd Reading

MR. PRICE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 119. 1928.

BILL

An Act to amend The Children of Unmarried Parents Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Children of Unmarried Parents Act, 1928.* Short title.

2.—(1) Subsection 1 of section 14 of *The Children of Unmarried Parents Act* is amended by striking out the words "to the provincial officer" at the end of the sixth line. Rev. Stat., c. 188, s. 14, subs. 1, amended.

(2) Section 23 and subsection 3 of section 26 of the said Act are repealed. Rev. Stat., c. 188, s. 23, s. 26, subs. 3, repealed.

(3) The said Act is amended by adding thereto the following section: Rev. Stat., c. 188, amended.

30.—(1) All sums of money payable under an order made or an agreement entered into under this Act shall be paid in the first instance to the provincial officer and where payment of a lump sum is ordered or agreed upon the provincial officer shall pay over to the Public Trustee any portion thereof not immediately required for the maintenance of the child or to meet other charges under this Act. Payment over of funds to Public Trustee.

(2) All sums so paid over shall be invested by the Public Trustee but subject to withdrawal of any amounts from time to time upon the written requisition of the provincial officer, provided that the provincial officer shall at no time have in his possession or under his control a greater amount than the sum of $5,000. Funds, how dealt with.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario,
18 George V, 1928.

BILL.

An Act to amend The Children of Unmarried Parents Act.

1st Reading

March 7th, 1928.

2nd Reading

3rd Reading

MR. PRICE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 120. 1928.

BILL

An Act to amend The Juvenile Courts Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Juvenile Courts Act, 1928*. Short title.

2. Section 8 of *The Juvenile Courts Act* is amended by adding at the end thereof the words "and the judge of the juvenile court may appoint any person to be a voluntary probation officer to deal with the case of a particular child and may at any time revoke such appointment." Rev. Stat., c. 281, s. 8, amended. Voluntary Probation Officer.

3. Section 14 of *The Juvenile Courts Act* is amended by adding thereto the following subsection: Rev. Stat., c. 281, s. 14, amended.

(3) Where a juvenile court has been established in a provisional judicial district for any territory in which there is a city or town, the Lieutenant-Governor in Council may fix the amount to be paid by such city or town towards the salaries and expenses of the court and prescribe the times and manner of making such payments. Salary of judge in district, how apportioned.

4. Section 15 of *The Juvenile Courts Act* is repealed and the following substituted therefor: Rev. Stat., c. 281, s. 15, repealed.

15. The Attorney-General shall have charge of the administration of this Act. Administration.

5. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Juvenile Courts Act.

1st Reading

March 7th, 1928.

2nd Reading

3rd Reading

MR. PRICE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 121. 1928.

BILL

An Act to amend The Controverted Elections Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Controverted Elections Act, 1928.* Short title.

2. Section 85 of *The Controverted Elections Act* is repealed and the following substituted therefor: Rev. Stat., c. 11, s. 85, repealed.

85.—(1) The travelling and other expenses of the judges and the expenses incurred by the sheriff in attending them and in providing the court and accessories and the fees and travelling and other expenses of the registrar shall be audited and paid in the same manner as the fees and expenses allowed to other officers under *The Election Act*. Expenses of Court, how payable. Rev. Stat., c. 8.

(2) The fees and expenses of the sheriff and other officers for publishing any notice or for the service of process or other papers at the instance of any party to the petition shall be costs in the cause and shall be borne and paid in the first instance by the party on whose behalf such services are rendered. When payable by parties.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Controverted Elections Act.

1st Reading

March 8th, 1928.

2nd Reading

3rd Reading

MR. PRICE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 122. 1928.

BILL

An Act to amend The Loan and Trust Corporations Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 18 of *The Loan and Trust Corporations Act* is amended by striking out the words "or upon first mortgages or hypothecs upon real estate in any province in which the company is authorized to carry on business" so that the subsection will now read as follows: Rev. Stat., c. 223, s. 18, subs. 2, amended.

(2) A trust company may invest or loan any money held by it other than trust money in or upon any of the securities authorized by section 28 of this Act or by *The Trustee Act*, and may loan any trust money held by it upon any securities authorized by *The Trustee Act*. Investments. Rev. Stat., c. 150.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Loan and Trust Corporations Act.

1st Reading

March 8th, 1928.

2nd Reading

3rd Reading

MR. PRICE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 123. 1928.

BILL

An Act to amend The Marriage Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Marriage Act, 1928.*

Rev. Stat., c. 181, s. 1, subs. 1, cl. *c*, amended.

Salvation Army marriages.

2. The clause lettered *c* in subsection 1 of section 1 of *The Marriage Act* is amended by striking out the words "staff officer" in the first line and substituting therefor the words "duly commissioned officer other than lieutenant."

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Marriage Act.

1st Reading

March 8th, 1928.

2nd Reading

3rd Reading

MR. GOLDIE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 124. 1928.

BILL

An Act to amend The Weed Control Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Weed Control Act, 1928*. Short title.

2. *The Weed Control Act* is amended by adding thereto the following section: Rev. Stat., c. 309, amended.

7a. Notwithstanding the provisions of the preceding section, in cities and towns where the person appointed as inspector is an officer or servant of the corporation he shall report to the clerk the amount expended by the municipality in carrying out the provisions of this Act with respect to each parcel of land, and the clerk shall place on the collector's roll of the municipality the sum so expended against the respective lands and such sums shall be collected in the same manner as other taxes, subject to an appeal to the court of revision of the said city or town at any time during the year in which the said sums are placed on the collector's roll. Cost of destroying weeds in cities and towns.

3. Section 8 of *The Weed Control Act* is repealed and the following substituted therefor: Rev. Stat., c. 309, s. 8, repealed.

8.—(1) It shall be the duty of every road authority to see that all weeds growing upon streets or highways under its jurisdiction are cut down or destroyed at the proper time to prevent the ripening of their seed and to appoint such officers as may be necessary for that purpose. Duty of road authority.

(*a*) In this section "road authority" shall have the same meaning as in *The Highway Improvement Act*. Rev. Stat., c. 54.

(2) Upon the report of the Minister of Agriculture that any road authority is in default in the duty imposed Withholding grant in case of default.

by subsection 1 or subsection 2, the Lieutenant-Governor in Council may direct that any sums of money payable out of the Consolidated Revenue Fund in respect of roads under the jurisdiction of such road authority under *The Highway Improvement Act* or any other Act relating to highways shall be withheld until it is shown to the satisfaction of the Minister of Highways that the road authority has carried out the duty so imposed.

Rev. Stat., c. 54.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Weed Control Act.

1st Reading

March 8th, 1928.

2nd Reading

3rd Reading

MR. MARTIN (Norfolk).

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 125. 1928.

BILL

An Act to amend The Workmen's Compensation Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Workmen's Compensation Act, 1928.* Short title.

2. *The Workmen's Compensation Act* is amended by adding thereto the following section: Rev. Stat., c. 179, amended.

47*a*. Where a workman is entitled to compensation and it is made to appear to the Board,— Payment where workman has left Ontario.

(*a*) that such workman is no longer residing in Ontario but that his wife or child or children under sixteen years of age are still residing therein without adequate means of support and are, or are apt to become, a charge upon the municipality where they reside, or upon private charity; or

(*b*) that the workman although still residing in Ontario is not supporting his wife and children as aforesaid and an order has been made against such workman by a court of competent jurisdiction for the support or maintenance of such wife or family, or for alimony, Where workman has deserted wife or children.

the Board may divert such compensation in whole or in part from such workman for the benefit of the wife or children of the said workman. Diverting compensation to benefit of family.

3. Section 59 of *The Workmen's Compensation Act* is repealed and the following substituted therefor: Rev. Stat., c. 179, s. 59, repealed.

Salaries of Commissioners.

59. The salaries of the commissioners shall be fixed by the Lieutenant-Governor in Council and shall be payable out of the accident fund as part of the administration expenses of the Board.

Rev. Stat., c. 179, s. 1, subs. 1, cl. *b*, amended.

4. The clause lettered *b* in subsection 1 of section 1 of *The Workmen's Compensation Act* is amended by adding thereto the words "and for payment of the salaries of the commissioners."

Rev. Stat., c. 179, s. 113, amended.

5. Section 113 of *The Workmen's Compensation Act* is amended by adding thereto the following subsections:

Tuberculosis of respiratory organs.

(9*a*) For the purposes of this Act tuberculosis shall mean tuberculosis of the respiratory organs when on examination of any person it is found that,

(*a*) such person expectorates the tubercule bacillus;

(*b*) such person has closed tuberculosis to such a degree as to seriously impair his working capacity and to render prohibition of his working underground advisable in the interests of his health.

Appointment of medical officers for examination of employees.

Rev. Stat., c. 45.

(9*b*) The Board is authorized to appoint such medical officers as may be required to carry out the provisions of *The Mining Act* and amendments thereto with regard to the examination of employees or applicants for employment and the remuneration and expenses of such officers shall be paid out of the rates imposed for payment of silicosis claims.

Commencement of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Workmen's Compensation Act.

1st Reading

March 8th, 1928.

2nd Reading

3rd Reading

MR. PRICE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 126. 1928.

BILL

An Act to amend The Companies Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 293 of *The Companies Act* is amended by striking out the word "who" in the third line and substituting therefor the words "five of whom" so that the section as amended will read as follows: Rev. Stat., c. 218, s. 293, amended.

Incorporation of Fraternal Societies.

293. The Lieutenant-Governor may, by letters patent, grant a charter to any number of persons not less than seventy-five, of the age of twenty-one years, five of whom petition therefor, constituting such persons and any others who have signed the membership book, and persons who thereafter become members in the fraternal society thereby created, a corporation for the purpose of undertaking any class of insurance for which a fraternal society may be licensed under the provisions of *The Insurance Act*. Incorporation. Rev. Stat., c. 222.

2. Section 317 of *The Companies Act* is repealed and the following substituted therefor: Rev. Stat., c. 218, s. 317, repealed.

Investments.

317.—(1) Subject to the provisions of the next following subsections, an insurer incorporated under the law of Ontario may invest its funds, or any portion thereof, in the purchase of, Powers of Ontario insurers.

(*a*) The debentures, bonds, stock or other securities of or guaranteed by the Government of the Dominion of Canada or of or guaranteed by the Government of any province of Canada, or of or guaranteed by the Govern- Government securities.

ment of Great Britain, or of any Dominion colony or dependency thereof; or of or guaranteed by the Government of any foreign country, or state forming a portion of such foreign country; or of any municipal or school corporation in Canada, or elsewhere where the insurer is carrying on business; or guaranteed by any municipal corporation in Canada, or secured by rates or taxes, levied under the authority of the Government of any province of Canada on property situated in such province and collectable by the municipalities in which such property is situated; or,

See R.S.C., c. 101. s. 54, cl. *a*.

Bonds secured by mortgage.

(*b*) (i) The bonds of any company which bonds are secured by a mortgage or hypothec to trustees or a trust corporation or otherwise, upon real estate or other assets, of such company; or,

Debentures.

(ii) The debentures or other evidences of indebtedness of any company which has paid regular dividends on its preferred or on its common stocks for a term of at least five years immediately preceding the date of investment in such debentures or other evidences of indebtedness; or,

Preferred stock.

(iii) The preferred stocks of any company which has paid regular dividends upon such stocks or upon its common stocks for not less than five years preceding the purchase of such preferred stocks, or the stocks of any company which are guaranteed by a company which has paid regular dividends upon its preferred or common stocks for not less than five years preceding the purchase of such guaranteed stocks; Provided that the amount of stocks so guaranteed is not in excess of fifty per cent. of the amount of the preferred or common stocks, as the case may be, of the guaranteeing company; or

Common stock.

(iv) The common stocks of any company or corporation upon which regular dividends of at least four per cent. per annum or, in the case of stocks of no par value, or at

least four dollars per share per annum, have been paid for the seven years next preceding the purchase of such stocks; Provided further that if any such company or corporation has, pursuant to a voluntary reorganization of its capital account and without affecting the status or diminishing the value of its outstanding securities including the capital stock, substituted common shares of no par value for shares of par value, then dividends declared on the said no par value stock shall be deemed to be dividends of at least four dollars per share per annum if the sum thereof is equivalent to at least four per cent. of the said common stock of par value and the proceeds of any additional issue of common stock made at the time of, or subsequent to, the aforesaid substitution of shares; and in such circumstances dividends of at least four per cent. per annum on the common stock of par value immediately preceding the substitution shall be regarded as dividends on the no par value stock; and if any such company or corporation has in any year paid dividends on its common stock amounting to not less than five hundred thousand dollars, the payment of such dividends shall be deemed to be for the purposes of this section equivalent to the payment of a dividend of four per cent. for the said year; or,

See R.S.C., c. 101, s. 54, cl. *b*.

(*c*) Ground rents, mortgages or hypothecs on real estate in Canada, or elsewhere where the insurer is carrying on its business, provided that the amount paid for any such mortgage or hypothec shall in no case exceed sixty per cent. of the value of the real estate covered thereby; or,

Mortgages.

See R.S.C., c. 101, s. 54, cl. *c*.

(*d*) If the insurer undertakes contracts of life insurance, life or endowment policies or contracts issued by the insurer or by any other insurer licensed to undertake contracts of life insurance in Ontario;

Life policies.

See R.S.C., c. 101, s. 54, cl. *d*.

or may lend its funds or any portion thereof on the security of,

Loans on securities.

See R.S.C., c. 101, s. 54, 2, cl. *a*.

(*e*) Any of the bonds, debentures, stocks or other securities mentioned in this subsection; or

Real estate.

(*f*) Real estate or leaseholds for a term or terms of years or other estate or interest therein in Canada or elsewhere where the insurer is carrying on business; Provided, however, that no such loan shall exceed sixty per cent. of the value of the real estate or interest therein which forms the security for such loan, but this proviso shall not be deemed to prohibit an insurer from accepting as part payment for real estate sold by it, a mortgage or hypothec thereon for more than sixty per cent. of the sale price of such real estate;

See R.S.C., c. 101, s. 54, 2, cl. *b*.

and the Lieutenant-Governor in Council may authorize the acceptance by an insurer of bonds, stocks or debentures not fulfilling the foregoing requirements of this subsection, (*a*) in payment or part payment for securities sold by such insurer; or (*b*) obtained under a *bona fide* arrangement for the reorganization of a company whose securities were previously owned by such insurer; or (*c*) for the amalgamation with another company of the company whose securities were so owned; but the bonds stocks or debentures whose acceptance is so authorized shall be absolutely sold and disposed of within five years after the acquisition thereof, or within such further time not exceeding one year as the Lieutenant-Governor in Council shall, on report of the Minister, fix and determine unless it can be shown to the satisfaction of the Minister that the bonds, stocks or debentures whose acceptance is so authorized are not inferior in status or value to the securities for which they have been substituted.

Other securities authorized by Lieutenant-Governor in Council.

See R.S.C., c. 101, s. 54, 3.

Stocks of reorganized companies.

(2) For the purpose of determining the eligibility as investments under the next preceding subsection of the preferred or common stocks of any company, which has been voluntarily reorganized without the impairment of the status or value of its securities, dividends paid on the preferred and common stocks of the company before such reorganization may be counted as dividends paid on such stocks respectively of the reorganized company.

See R.S.C., c. 101, s. 54, 4.

Investments in corporate name only.

(3) All investments and deposits of the funds of any such insurer shall be made in its corporate name, and no director or other officer thereof, and no

member of a committee having any authority in the investment or disposition of its funds shall accept or be the beneficiary of, either directly or indirectly, any fee, brokerage, commission, gift or other considerations for or on account of any loan, deposit, purchase, sale, payment or exchange made by or in behalf of such insurer, or be pecuniarily interested in any such purchase, sale or loan, either as borrower, principal, co-principal, agent or beneficiary, except that if he is a policyholder he shall be entitled to all the benefits accruing under the terms of his contract.

See R.S.C., c. 101, s. 60, 1.

(4) Any loan by this section authorized to be made may be on such terms and conditions, and in such manner and at such times, and for such sums, and in such sums of repayment, whether of principal or interest or principal and interest together, as the directors from time to time determine.

Terms, manner and amount of loans.

See R.S.C., c. 101, s. 61.

(5) No insurer shall:

Prohibitions and restrictions.

(*a*) invest in or loan its funds upon the security of its own shares or the shares of any company transacting the business of insurance; or,

See R.S.C., c. 101, s. 54, cl. *b*, iv; s. 58, 2.

(*b*) except as to securities of or guaranteed by the Government of the Dominion of Canada, or the Government of any province of Canada, or a municipal corporation in Ontario, invest money in any one security or make a total investment in any one company including the purchase of its stock or other securities, the lending to it on the security of its debentures, mortgages or other assets or any part thereof, of more than five per cent. of its funds; or (*New*).

(*c*) except as to securities of or guaranteed by the Government of the Dominion of Canada, or the Government of any province of Canada, or a municipal corporation in Ontario, make any investment the effect of which will be that such insurer will hold more than five per cent. of the total issue of stock or shares of any one company; or (*New*).

(*d*) loan any of its funds to any director or officer thereof or to the wife, or any child of such director or officer except, in the case of an

See R.S.C., c. 101, s. 54, 5.

insurer undertaking contracts of life insurance, on the security of its own policies; or

(*e*) subscribe to or participate in or employ the funds of the insurer in any underwriting for the purchase or sale of securities or property of any kind, nor shall any director or officer, except for the *bona fide* purpose of protecting investments already made by the insurer, enter into any transaction for such purchase or sale on account of said corporation, jointly with any other person, firm or corporation; Provided that this clause shall not be deemed to prohibit the subscription in manner aforesaid for bonds or securities permitted by this section as a *bona fide* permanent investment on behalf of any such insurer.

See R.S.C., c. 101, s. 57.

Interest in forming other companies.

(6) Except for the *bona fide* purpose of protecting investments previously made by it, and subject to the approval of the Lieutenant-Governor in Council, no insurer shall, nor shall its directors or officers or any of them on its behalf, under colour of an investment of the insurer's funds, or otherwise, directly or indirectly be employed, concerned or interested in the formation or promotion of any other company; Provided that nothing in this clause shall be deemed to prohibit insurers investing their funds in securities of a new company as provided in subsection 1 of this section; or

See R.S.C., c. 101, s. 56.

Additional security to secure repayment of liabilities.

(7) Any insurer may take any additional securities of any nature, to further secure repayment of any liability thereto, or to further secure the sufficiency of any of the securities in or upon which such insurer is by this section authorized to invest or lend any of its funds.

See R.S.C., c. 101, s. 59.

By-laws to prevail.

(8) Where the constitution, by-laws or rules of an insurer prescribe the securities in which its funds may be invested, nothing in this section shall enlarge the power of investment. See R.S.O., c. 218, s. 317 (4).

Disposal of unauthorized investments.

(9) The Superintendent may request any insurer to dispose of and realize any of its investments acquired after the coming into force of this section and not authorized by this section, and such insurer shall within sixty days after receiving such request

absolutely dispose of and realize the said investments, and if the amount realized therefrom falls below the amount paid by such insurer for the said investments the directors of the insurer shall be jointly and severally liable for the payment to such insurer of the amount of the deficiency; Provided that if any director present when any such investment is authorized does forthwith, or if any director then absent does within twenty-four hours after he becomes aware of such investment and is able to do so, enter on the minutes of the board of directors his protest against the same, and within eight days thereafter gives notice of his protest by registered letter to the Superintendent, such director may thereby, and not otherwise, exonerate himself from such liability. See R.S.O., c. 218, s. 317 (5). Directors' liability.

(10) "Insurer" in this section shall be deemed to mean and include only joint stock insurance companies and cash mutual insurance corporations; all other insurers may invest their funds in any securities in which, under *The Trustee Act*, trustees may invest trust funds. Meaning of "Insurer." Rev. Stat., c. 150.

3. This Act shall come into force on the 1st day of May, 1928. Commencement of Act.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Companies Act.

1st Reading

March 8th, 1928.

2nd Reading

3rd Reading

MR. PRICE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 127. 1928.

BILL

An Act to amend The Protection of Cattle Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Protection of Cattle Act, 1928*. Short title.

2. The clause lettered *a* in subsection 2 of section 4 of *The Protection of Cattle Act* is repealed and the following substituted therefor: Rev. Stat., c. 304, s. 4, subs. 2, cl. *a* repealed.

(*a*) No one in such county shall purchase or keep for public service or offer for use or sale except for slaughtering any bull which is not pure bred.

(*aa*) Any bill, poster or other printed matter advertising any bull for sale or public service shall be evidence that such printed matter was issued to advertise the bull mentioned, with the consent of the owner of the bull and such advertising shall be *prima facie* evidence that such bull was being offered for sale or public service.

3. Section 6 of *The Protection of Cattle Act* is amended by adding at the end thereof the words "except that the municipal council in an organized municipality in any such district may pass a by-law declaring such municipality a 'Better Bull Area,' and after the passing of such by-law the provisions of section 4 shall apply to such municipality." Rev. Stat., c. 304, s. 6, amended.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Protection of Cattle Act.

1st Reading

March 8th, 1928.

2nd Reading

3rd Reading

MR. MARTIN (Norfolk).

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 128. 1928.

BILL

An Act to amend The Public Vehicle Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Public Vehicle Amendment Act, 1928*. Short title.

2. Section 4 of *The Public Vehicle Act* is repealed and the following substituted therefor: Rev. Stat., c. 252, s. 4, repealed.

4. A by-law may be passed by the council of any city requiring a person holding a license or permit under the provisions of this Act, who operates a public vehicle over a route partly within and partly without the limits of such city to also pay to the corporation of such city a fee or charge not being in the nature of a license fee. Such by-law shall not come into effect unless and until approved by the Department, and the Department shall fix the fee to be charged. Payment of annual charge to city.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Public Vehicle Act.

1st Reading

March 8th, 1928.

2nd Reading

3rd Reading

MR. HENRY.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 129. 1928.

BILL

The Motor Vehicle Conditional Sale and Mortgage Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,— Interpretation.

(*a*) "Motor Vehicle" shall mean motor vehicle as defined in *The Highway Traffic Act*. "Motor Vehicle."

(*b*) "Minister" shall mean Minister of Public Works and Highways, and "Department" shall mean Department of Public Highways. "Minister" "Department."

(*c*) "Registrar" shall mean the Registrar of Motor Vehicles. "Registrar."

(*d*) "Mortgage" shall include a conveyance intended to operate as a mortgage and shall include any deed or instrument by which a charge or floating charge is created upon a motor vehicle. "Mortgage."

(*e*) "Conditional Sale Agreement" shall mean a contract evidenced by a writing signed by the vendor and purchaser stating the terms and conditions of the sale and describing the motor vehicle sold, and in which it is provided that the ownership of the motor vehicle shall remain in the vendor until payment of the purchase money or part of it and under which possession of the motor vehicle is given to the purchaser. "Conditional sale agreement."

(*f*) "Hire receipt" shall mean a contract evidenced by a writing signed by the lender for hire and the hirer stating the terms and conditions of the hiring and describing the motor vehicle so lent for hire and in which it is provided that the ownership of the motor vehicle shall remain in the lender for hire until "Hire receipt."

payment of the consideration money or part of it and under which possession of the motor vehicle is given to the hirer.

Requirement as to filing.

2.—(1) Every conditional sale agreement, hire receipt or mortgage of a motor vehicle hereinafter called "document" shall be void as against the creditors of the purchaser, hirer or mortgagor respectively and as against a subsequent purchaser or mortgagee claiming from or under such purchaser or hirer without notice, in good faith and for valuable consideration unless the same or a true copy thereof is filed as provided in this Act within ten days after the execution thereof.

Place of filing.

(2) Every document shall be filed in the office of the Registrar of Motor Vehicles, Toronto.

Recording of documents.

(3) The Registrar shall number each document or copy filed in his office, and shall record in alphabetical order the names of all parties thereto and shall also record in numerical order and according to the maker's name the vehicle referred to in any such document.

Appointment of clerk of county and district courts as agents.

3.—(1) The Minister may appoint the clerk of a county or district court to act as agent of the Registrar of Motor Vehicles and to accept for transmission to such Registrar all documents.

(2) Any document filed with the clerk of a county or district court appointed as such agent shall be so filed within five days after the execution thereof.

Documents in triplicate.

4.—(1) Every document shall be executed in triplicate, one copy thereof to be retained by the Registrar and one copy after being duly certified by such Registrar to be returned to each of the respective parties.

Execution of documents.

(2) Every mortgage of a motor vehicle shall be executed by the mortgagor and every conditional sale agreement or hire receipt shall be executed by the vendor or lendor for hire or his agent and by the purchaser or hirer as the case may be and all such documents shall be accompanied by affidavits of execution on the forms prescribed for such purpose.

Statement for purposes of renewal.

5. Every mortgage filed in pursuance of this Act shall cease to be valid, as against the creditors of the mortgagor and as against any subsequent purchaser and mortgagee in good faith and for valuable consideration, after the expiration of one year from the day of filing thereof unless within the

thirty days next preceding the expiration of the said term of one year a statement on the prescribed form, showing the interest of the mortgagee is filed in the office of the Registrar of Motor Vehicles together with an affidavit of the mortgagee stating that the statement is true and the mortgage has not been kept on foot for any fraudulent purpose.

6. Where by error or inadvertence any such document does not refer to the vehicle by number or refers to it by an erroneous number the Registrar may permit its registration against the proper vehicle according to its number.

7. The Department shall not be liable for any loss sustained by any person by reason of any error or omission occurring in the office of the Registrar with respect to any matter or thing covered by this Act. Non-liability of Department.

8. The Lieutenant-Governor in Council may make regulations governing the general administration of this Act and the payment of fees for filing or searching documents. Regulations.

9. This Act shall come into force on a day to be named by the Lieutenant-Governor in Council by his proclamation. Commencement of Act.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

The Motor Vehicle Conditional Sale and Mortgage Act.

1st Reading

March 8th, 1928.

2nd Reading

3rd Reading

MR. HENRY.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 130. 1928.

BILL

An Act to amend The Highway Traffic Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Highway Traffic Act, 1928.* Short title.

2.—(1) Section 9 of *The Highway Traffic Act* is amended by adding thereto the following subsection: Rev. Stat., c. 251, s. 9, amended.

(2*a*) Every motor vehicle having a width at any part in excess of 80 inches shall carry two clearance lamps or reflectors of a design approved by the Department, on the left side of such vehicle, one of which shall be located at the front of the vehicle and shall display or reflect a green light, and the other of which shall be located at the rear of the vehicle and shall display or reflect a red light. Any lamp or reflector so used shall be clearly visible for a distance of at least 200 feet from the front or rear as the case may be. Clearance lamp required on wide vehicles.

(2) Subsection 7 of the said section is amended by striking out the word "four" in the second line thereof and substituting the word "three." Rev. Stat., c. 251, s. 9, subs. 7, amended.

(3) Subsection 13 of the said section is repealed and the following substituted therefor: Rev. Stat., c. 251, s. 9, subs. 13, repealed.

(13) It shall be unlawful to carry on any motor vehicle on a highway any spotlight, searchlight or lamp which revolves upon a pivot or other device so that the rays of such light may be projected in different directions by an occupant of the vehicle; but a spotlight, searchlight or such a lamp may be carried by a motor vehicle of a municipal fire department for use only at the actual scene of a fire, or by a motor vehicle used by a public service corporation, commission, or board for locating breaks in, or trouble with, overhead wiring. Spotlights prohibited.

Rev. Stat., c. 251, s. 10, subs. 1, repealed.

3.—(1) Subsection 1 of section 10 of *The Highway Traffic Act* is repealed and the following substituted therefor:

Brakes, two systems required.

(1) Every motor vehicle operated in or upon any highway shall be equipped with at least two braking systems, with two separate means of application, each operating on at least two wheels and each of which is sufficient to stop the vehicle within a proper distance. If these two systems are connected in any way, they shall be so constructed that the failure of any one part of the operating mechanism shall not leave the vehicle without brakes on at least two wheels. One of these systems shall be so constructed that it can be set to hold the vehicle. All such brakes shall be maintained in good working order and shall conform to regulations not inconsistent with this Act to be promulgated by the Department. Every motorcycle shall be provided with at least one brake which may be operated by hand or foot. Any police constable or any officer appointed for carrying out the provisions of this Act may at any time inspect or cause an inspection to be made of the brakes of any motor vehicle on the highway, and may, if such brakes are not in good working order, require the driver of such motor vehicle to proceed forthwith to put or have such brakes put in good working order.

Rev. Stat., c. 251, s. 10, amended.

(2) The said section 10 is further amended by adding thereto the following subsection:

City by-laws may require locks on motor vehicles.

(3) The council of every city may pass a by-law requiring that every motor vehicle, except a commercial motor vehicle, be equipped with a device the locking of which will prevent the engine being started, and making it the duty of the driver to lock such device whenever the motor vehicle is standing unattended in a highway, lane or other public place, and for imposing penalties not exceeding $10 for the first and not exceeding $25 for any subsequent contravention of the provisions of the by-law.

Rev. Stat., c. 251, s. 32, repealed.

4. Subsection 1 of section 32 of *The Highway Traffic Act* is repealed and the following substituted therefor:

Power of officer to have load weighed.

(1) Any police constable or any officer appointed for carrying out the provisions of this Act, having reason to believe that the weight of a vehicle and load is in excess of that permitted by this Act or in excess of that authorized under the permit issued for the

vehicle may weigh the same either by means of portable or stationary scales and may require that such vehicle be driven to the nearest scales if they are within a distance of two miles. Where it is found that the vehicle is carrying an excessive load, the constable or officer may require the driver to forthwith remove so much of the load as is necessary to bring it within the weight so permitted or authorized.

Commencement of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Highway Traffic Act.

1st Reading

March 9th, 1928.

2nd Reading

3rd Reading

MR. HENRY.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 130. 1928.

BILL

An Act to amend The Highway Traffic Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Highway Traffic Act, 1928.* Short title.

2.—(1) Section 9 of *The Highway Traffic Act* is amended by adding thereto the following subsection: Rev. Stat., c. 251, s. 9, amended.

(2a) *Whenever on a highway after dusk and before dawn* every motor vehicle having a width at any part in excess of 80 inches shall carry two clearance lamps or reflectors of a design approved by the Department, on the left side of such vehicle, one of which shall be located at the front of the vehicle and shall display or reflect a green light, and the other of which shall be located at the rear of the vehicle and shall display or reflect a red light. Any lamp or reflector so used shall be clearly visible for a distance of at least 200 feet from the front or rear as the case may be. Clearance lamp required on wide vehicles.

(2) Subsection 7 of the said section is amended by striking out the word "four" in the second line thereof and substituting the word "three." Rev. Stat., c. 251, s. 9, subs. 7, amended.

(3) Subsection 13 of the said section is repealed and the following substituted therefor: Rev. Stat., c. 251, s. 9, subs. 13, repealed.

(13) No spotlight or searchlight or other auxiliary lamp shall be attached to any part of a motor vehicle higher than the head lamps of such vehicle, and the ray of light from any such spotlight, searchlight or auxiliary lamp shall be directed to the extreme right of the travelled portion of the highway in such a manner that the beam of light shall strike the highway within seventy-five feet of the vehicle, provided that this shall not prevent the use of what are commonly known as cowl or side lamps or Spotlights, position of. Proviso.

clearance lamps, nor shall this section apply to a motor vehicle of a municipal fire department, or a motor vehicle used by a public service corporation, commission or board for locating breaks in or trouble with overhead wiring.

Rev. Stat., c. 251, s. 10, subs. 1, repealed.

3.—(1) Subsection 1 of section 10 of *The Highway Traffic Act* is repealed and the following substituted therefor:

Brakes, two systems required.

(1) After the 1st day of July, 1928, every motor vehicle other than a motorcycle, when operated upon a highway shall be equipped with brakes adequate to stop and to hold such vehicle, including two separate means of application, each of which means shall apply a brake or brakes effective on at least two wheels and each of which shall suffice to stop the vehicle within a proper distance. Each means of application shall be so constructed that the cutting in two of any one element of the operating mechanism shall not leave the motor vehicle without brakes effective on at least two wheels. Every motorcycle shall be equipped with at least one brake. All such brakes shall be maintained in good working order and shall conform to regulations not inconsistent with this section to be made by the Department. Any police constable or any officer appointed for carrying out the provisions of this Act may at any time inspect or cause an inspection to be made of the brakes on any motor vehicle on the highway, and may, if such brakes do not conform to the regulations of the Department, require the driver of such motor vehicle to proceed forthwith to make or have such brakes made to comply with such regulations.

Rev. Stat., c. 251, s. 32, repealed.

4. Subsection 1 of section 32 of *The Highway Traffic Act* is repealed and the following substituted therefor:

Power of officer to have load weighed.

(1) Any police constable or any officer appointed for carrying out the provisions of this Act, having reason to believe that the weight of a vehicle and load is in excess of that permitted by this Act or in excess of that authorized under the permit issued for the vehicle may weigh the same either by means of portable or stationary scales and may require that such vehicle be driven to the nearest scales if they are within a distance of two miles. Where it is found that the vehicle is carrying an excessive load, the constable or officer may require the driver to forthwith remove so much of the load as is necessary to bring it within the weight so permitted or authorized.

5. Subsection 1 of section 34 of *The Highway Traffic Act* is amended by adding after the word "patrols" in the last line, the words "public vehicles." Rev. Stat., c. 251, s. 34, subs. 1, amended.

6. Subsection 1 of section 37 of *The Highway Traffic Act* is amended by adding thereto the following words:"provided, however, that this subsection shall not apply where a safety zone has been set aside and designated by a by-law passed under the provisions of paragraph 48 of section 399 of *The Municipal Act*, but no vehicle or horse shall pass such safety zone at a speed greater than is reasonable and proper and in no event greater than ten miles an hour and with due caution for the safety of pedestrians." Rev. Stat., c. 251, s. 37, subs. 1, amended. Rev. Stat., c. 233.

7. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Highway Traffic Act.

1st Reading

March 9th, 1928.

2nd Reading

March 14th, 1928.

3rd Reading

MR. HENRY.

(*Reprinted as amended in Committee of the Whole House.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 131. 1928.

BILL

An Act to amend The Insurance Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Insurance Act, 1928*. Short title.

2.—(1) Paragraph 1 of section 1 of *The Insurance Act* is repealed and the following substituted therefor: Rev. Stat., c. 222, s. 1, par. 1, repealed.

1. "Accident Insurance" means insurance by which the insurer undertakes to pay insurance money in the event of accident to the person or persons insured. "Accident insurance."

(2) Paragraph 52 of the said section is repealed and the following substituted therefor: Rev. Stat., c. 222, s. 1, par. 52, repealed.

52. "Sickness Insurance" means insurance by which the insurer undertakes to pay insurance money in the event of sickness of the person or persons insured. "Sickness insurance."

3. Subsections 2 and 3 of section 184 of *The Insurance Act* are repealed and the following substituted therefor: Rev. Stat., c. 222, s. 184, subs. 2, 3, repealed.

(2) This Part shall not apply to a contract of life insurance to which Part V applies, notwithstanding that such contract includes provisions for special benefits or indemnities upon death by accident, or upon disability which is by the terms of the contract deemed to be total and permanent, or upon total disability which exists for a continuous period of not less than three months or ninety days, according as the contract may provide. Disability insurance.

(3) This Part, except section 194, shall not apply to a contract made with an employer and insuring his employees or made with a representative of a group and insuring such group, for the individual benefit of the employees or persons insured thereby, but sections 122, 133 to 137 and 161 shall apply to any such contract. Group insurance.

(4) Sections 122, 133 to 138 and 161 shall apply to contracts to which this Part applies.

Rev. Stat., c. 222, s. 186, repealed.

4. Section 186 of *The Insurance Act* is repealed and the following substituted therefor:

Contents of policy.

186. Every policy shall contain the name and address of the insurer, the name and address and occupation or business of the insured, the name of the person to whom the insurance money is payable, the premium for the insurance, the indemnity for which the insurer may become liable, the event on the happening of which such liability is to accrue, and the term of the insurance.

Rev. Stat., c. 222, s. 187, condition 12, cl. (*b*), amended.

5.—(1) Clause (*b*) of condition 12 of section 187 of *The Insurance Act* is amended by striking out the word "*termination*" in the sixth line and substituting therefor the word "*commencement*" so that the clause will now read as follows:

Notice and proof of claim.

(*b*) furnish to the insurer such proof of claim as is reasonably possible in the circumstances of the happening of the *accident or sickness* and the loss occasioned thereby, *within ninety days after the happening of the accident, or, in the case of sickness, within ninety days after the date of commencement of the period of disability from sickness for which the insurer is liable.*

Rev. Stat., c. 222, s. 187, condition 19, repealed.

(2) Condition 19 of the said section is repealed and the following substituted therefor:

Right of insured to assign policy.

19. Where moneys are payable under this policy upon the death of the insured by accident, the insured may from time to time designate a beneficiary, appoint, appropriate or apportion such moneys and alter or revoke any prior designation, appointment, appropriation or apportionment.

Rev. Stat., c. 222, s. 190, repealed.

6. Section 190 of *The Insurance Act* is repealed.

Rev. Stat., c. 222, s. 191, repealed.

7. Section 191 of *The Insurance Act* is repealed.

Rev. Stat., c. 222, s. 192, subs. 1, amended.

8.—(1) Subsection 1 of section 192 of *The Insurance Act* is amended by striking out the figures "191" in the third line and substituting therefor the figures "189" so that the subsection will now read as follows:

Variations in conditions.

(1) If an insurer desires to vary, omit, or add to the statutory conditions or any of them, except as

provided in sections 188 and 189, there shall be printed in conspicuous type not less in size than ten point, and in red ink, immediately after such conditions, the proposed variations or additions or a reference to the omissions, with these introductory words:

"Variations in Conditions."

"This policy is issued on the above statutory conditions with the following variations, omissions or additions, which are, by virtue of the law of this province, in force so far only as they shall be held to be just and reasonable to be exacted by the insurer."

Rev. Stat., c. 222, s. 192, subs. 2, amended.

(2) Subsection 2 of the said section is amended by striking out the figures "191" in the second line and substituting therefor the figures "189" so that the subsection will now read as follows:

(2) No variation, omission or addition except as provided in sections 188 and 189 shall be binding upon the insured unless the foregoing provisions of this section have been complied with, and any variation, omission or addition shall be so binding only in so far as it is held by the court before which a question relating thereto is tried, to be just and reasonable.

Rev. Stat., c. 222, s. 208, cl. (*g*), amended.

9. Clause *g* of section 208 of *The Insurance Act* is amended by striking out the word "three" in the eighth line and substituting therefor the word "four" so that the clause will now read as follows:

(*g*) A society in which the persons insured do not exercise either directly or through representatives elected for a term not exceeding four years, effective control over the insurance fund of the society; or in which the officers or other persons having the disposition, control or possession of the insurance fund are elected or appointed for a longer period than four years.

Rev. Stat., c. 222, s. 232, amended.

10. Section 232 of *The Insurance Act* is amended by striking out the words "and have made a net increase in the amount of life insurance in force during the two next preceding calendar years and" in the third, fourth and fifth lines, so that the section will now read as follows:

Endowment insurance.

232. A fraternal society licensed under this Act, having more than five thousand members in the life insur-

ance department which has filed with the Superintendent for at least three successive years a declaration of an actuary as provided by subsection 2 of section 220 hereof may, if its constitution so provides and subject thereto, issue to its members endowment insurance contracts providing for the payment of the insurance money to such members at the expiration of twenty or more years from the date of such contracts, or to the beneficiary or beneficiaries under any of such contracts in case of death of any of such members prior to the expiration of the endowment period.

Rev. Stat., c. 222, s. 256, subs. 11, amended.

11. Subsection 11 of section 256 of *The Insurance Act* is amended by striking out the words "a fee of three dollars" in the ninth and tenth lines and substituting therefor the words "the prescribed fee" so that the subsection will now read as follows:

Term of license.

(11) A license issued hereunder shall expire on the 30th day of September next after its issue unless automatically suspended by notice pursuant to subsection 6 hereof or unless revoked or suspended by the Superintendent; but such license may, in the discretion of the Superintendent, be renewed for a succeeding year upon due application upon a form prescribed by the Superintendent giving such information as he may require, accompanied by a certificate of agency appointment of a licensed insurer and payment of the prescribed fee without requiring anew the detailed information hereinbefore specified.

Renewal.

Rev. Stat., c. 222, s. 257, subs. 1, amended.

12. Subsection 1 of section 257 of *The Insurance Act* is amended by striking out the words "a fee of ten dollars" in the second line and substituting therefor the words "the prescribed fee" so that the subsection will now read as follows:

License of insurance brokers.

(1) The Superintendent may, upon the payment of the prescribed fee, issue to any suitable person resident in Canada, a license to act in Ontario as an insurance broker to negotiate, continue or renew contracts of insurance other than life insurance or to place risks or effect insurance with any duly licensed insurer or its agent.

Rev. Stat., c. 222, s. 259, subs. 1, amended.

13. Subsection 1 of section 259 of *The Insurance Act* is amended by striking out the words "a fee of twenty-five dollars" in the second line and substituting therefor the words

"the prescribed fee" so that the subsection will now read as follows:

(1) The Superintendent may, upon the payment of the prescribed fee, issue to any suitable person resident in Ontario, a license to act as a special insurance broker to negotiate, continue or renew contracts of fire insurance on property in Ontario in insurers not authorized to transact such business in Ontario. License of special insurance brokers.

14. Subsection 1 of section 263 of *The Insurance Act* is amended by striking out the words "a fee of ten dollars" in the second line and substituting therefor the words "the prescribed fee" so that the subsection will now read as follows: Rev. Stat., c. 222, s. 263, subs. 1, amended.

(1) The Superintendent may, upon the payment of the prescribed fee, issue to any suitable person a license to act as an adjuster. License of insurance adjuster.

15.—(1) This Act, except as provided in subsection 2 hereof, shall come into force on the day upon which this Act receives the Royal Assent. Commencement of Act.

(2) Sections 2 to 8 inclusive shall come into force on proclamation of the Lieutenant-Governor in Council. Commencement of Ss. 2 to 8, inclusive.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Insurance Act.

1st Reading,
March 12th, 1928.

2nd Reading

3rd Reading

MR. PRICE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 132. 1928.

BILL

An Act to make Better Provision for Regulating the Cutting of Timber on Public Lands.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Timber Cutting Regulation Act, 1928*.

Powers of Minister as to controlling cutting of timber.

2. Notwithstanding anything contained in any general or special Act or in any timber license, lease, concession, agreement or other document under which the right to cut timber is claimed or exercised, the Minister of Lands and Forests shall have authority to fix the size and kind of trees and timber which may be cut on the unpatented public lands of Ontario, and on patented lands where the trees and timber thereon remain the property of the Crown, and such authority may be exercised in such parts of Ontario and for such times, and on such conditions as the said Minister may direct, and any directions so given may in like manner be varied from time to time.

Authority to apply to all licenses heretofore granted.

3. The Minister may exercise the authority and give the directions provided for in section 2 with respect to the timber included in any license, lease, concession, agreement or other document heretofore granted, made or entered into or which may hereafter be granted, made or entered into by the Crown.

Penalty.

4.—(1) Every corporation, firm or individual who directly, or by any servant, agent or employee cuts or assists in cutting any trees or timber contrary to any directions given under the authority of this Act shall incur a penalty of not more than $100 for each offence and in default of payment of such penalty may be imprisoned for a period not exceeding three months.

Recovery of penalty. Rev. Stat., c. 121.

(2) Any penalty imposed under subsection 1 shall be recoverable under *The Summary Convictions Act*.

Commencement of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

An Act to make Better Provision for Regulating the Cutting of Timber on Public Lands.

1st Reading,

March 13th, 1928.

2nd Reading

3rd Reading

MR. FINLAYSON.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 133. 1928.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 8 of section 401 of *The Municipal Act* is amended by striking out the word "If" in the eighth line thereof, and by substituting therefor the word "For," and by striking out the clause "If weighing more than 1,000 pounds—10 cents," and substituting therefor the following: Rev. Stat., c. 233, s. 401, subs. 8, amended.

"For weighing 1,000 and less than 2,500 pounds..... 10 cents

"For weighing 2,500 pounds or upwards..... 15 cents"

2. Paragraph 36 of section 397 of the said Act is amended by adding at the end thereof the following: Rev. Stat., c. 233, s. 397, par. 36, amended.

"and for imposing, levying and collecting fees for the inspection of each animal or carcass offered for sale for human food, within the municipality, not exceeding those set out in the following scale:

"For inspecting beef cattle or carcass.. 10 cents

"For inspecting pork, veal, lamb, mutton, per carcass or lesser quantity..... 5 cents"

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Municipal Act.

1st Reading

March 13th, 1928.

2nd Reading

3rd Reading

MR. HONEYWELL.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 134. 1928.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Paragraph 9 of section 411 of *The Municipal Act* is amended by inserting at the end thereof the following: Rev. Stat., c. 233, s. 411, par. 9, amended.

"(*a*) The by-law may apply to any one or more classes or kinds of wheeled vehicles."

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Municipal Act.

1st Reading

March 13th, 1928.

2nd Reading

3rd Reading

MR. MCBRIEN.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 135. 1928.

BILL

An Act respecting Certain Lands of the Canadian General Electric Company, Limited, in the County of Welland.

Preamble.

WHEREAS by deed dated the 5th day of August, 1910, made between His Majesty King George the Fifth, of the first part, and the Canada Foundry Company, Limited, hereinafter called "the Foundry Company," of the second part, the Canadian General Electric Company, Limited, hereinafter called "the Electric Company," of the third part, and the Commissioners for the Queen Victoria Niagara Falls Park, acting therein on their own behalf as well as on behalf and with the approval of the Government of the Province of Ontario, hereinafter called "the Commissioners," of the fourth part, and registered in the Registry Office for the county of Welland in book L-1 for the township of Bertie on the 24th day of August, 1910, as number 14339, the Crown granted to the Foundry Company in fee simple (in which grant the Commissioners joined as grantors in respect of any interest they had therein) the lands forming part of the chain reserve along the bank of the Niagara River, described in the schedule hereto, for the object and purpose only of establishing and carrying on the business of shipbuilding and of a general foundry and machine shop, and for every description of manufacture of iron and steel and other metal work or in connection therewith and to deal in the same; and whereas the said grant to the Foundry Company was made by the Crown and the said Commissioners at the request of the Foundry Company and the Electric Company without any consideration and for the purpose only of enabling the said works and business to be erected and carried on upon the said lands; and whereas by quit claim deed dated the 30th day of January, 1924, made between the Foundry Company, as grantor, and the Electric Company, as grantee, and registered in the Registry Office for the county of Welland as number 21638, the Foundry Company did grant, release and quit claim to the Electric Company *inter alia*, the said lands described in the schedule hereto, with notice of the aforesaid restrictions on the user of the said lands.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Canada Foundry Company Sites Act, 1928*.

Land held subject to restriction as to use.

2. The lands described in the schedule hereto were acquired by the Canada Foundry Company, Limited, and were conveyed by the Canada Foundry Company, Limited, to the Canadian General Electric Company, Limited, its successors and assigns, in fee, subject to the restriction that the said lands should be used only for such purposes as are necessary for establishing and carrying on the business of shipbuilding and the business of a general foundry and machine shop and of every description of manufacture of iron and steel and other metal work.

Other uses prohibited.

3. The said Canadian General Electric Company, Limited, and its successors and assigns shall not, nor shall any of them, use the lands described in the schedule hereto or any part thereof for any purpose or use whatever other than establishing and carrying on the said businesses in section 2 hereof referred to.

Enforcing restriction.

4. If the said Canadian General Electric Company, Limited, or its successors or assigns, make any use of the lands described in the schedule hereto in contravention of sections 2 and 3, an action may be brought by the Niagara Parks Commission or by the Attorney-General, or by any owner of land injuriously affected or which may be injuriously affected by such use, for damages and for an injunction restraining the Canadian General Electric Company, Limited, or its successors or assigns, from making any use of the said lands except for such purposes as are necessary for establishing and carrying on the business of shipbuilding and the business of a general foundry or machine shop or any description of manufacture of iron and steel and other metal work.

Commencement of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE.

Firstly: Being composed of that part of the Chain Reserve in front of Lot Number Fourteen, in Concession Five, Niagara River, of the Township of Bertie, and more particularly described as follows: Commencing at the intersection of the southwestern limit of the Ridge Road as widened, with the southwestern limit of the River Road; Thence north forty-three degrees and eight minutes (43° 8′) West, along the line of fence forming the southwestern limit of the said River Road, seven hundred and twenty-two feet and six and three-quarters inches (722′ 6¾″) to a stake planted; Thence north sixteen degrees and fifty-four minutes (16° 54′) East, to the margin of the Niagara River; thence southeasterly along the said margin, against the stream, to the said southwestern limit of the Ridge Road produced northeasterly; Thence south thirty-five degrees and fifteen minutes (35° 15′) West thirty-two feet (32′) more or less to the place of beginning;

Secondly: Being composed of that part of the Chain Reserve in front of Lot Number Nine, in the First Cross Concession of the Township of Bertie, more particularly described as follows: Commencing at a point, which point may be located in the following manner: Beginning at a point in the westerly limit of said Lot Number Nine where the same is intersected by the southwesterly limit of lands conveyed to the Canadian Shipbuilding Company, Limited, by Deed dated 30th December, 1903, and registered in the Registry Office for the County of Welland in Book F-1 as No. 11581; Thence south fifty-four degrees (54°) East, along the said southwesterly limit, three hundred and forty-five feet (345′) more or less, to the easterly boundary of lands conveyed by Henry O'Brien on the 6th day of April, 1903, to the Canadian Shipbuilding Company, Limited; Thence north fifteen degrees and fifty-three minutes (15° 53′) East, along the easterly limit of the lands conveyed by Henry O'Brien as aforesaid, twelve hundred and sixty feet (1260′) more or less, to the point of commencement aforesaid, being in a line distant ninety feet (90′) from the said margin of the Niagara River, measured southerly at right angles thereto; Thence easterly and parallel to the said margin, two hundred and five feet (205′) more or less, to a curved line having a radius of four hundred and twenty-two feet and half an inch (422′ ½″) and defined on the ground by posts planted; Thence easterly along the aforesaid curved line to the said margin of the Niagara River; Thence westerly along the said margin, with the stream, four hundred and fifty feet (450′) more or less, to the prolongation of the westerly limit of lands conveyed as aforesaid by Deed dated 30th December, 1903; Thence south fifteen degrees and fifty-three minutes (15° 53′) West, to and along the said westerly limit, ninety feet (90′); Thence easterly and parallel to the said margin, eighty feet (80′) to the point of commencement aforesaid;

Thirdly: That portion of the original Chain Reserve lying between said hereinbefore described parcels of land and lying along the bank of the Niagara River and extending to the shore edge of a certain water lot containing sixteen and four-fifths acres, the said water lot being particularly described in the said Deed referred to in the recital to the Act dated the 5th day of August, 1910, and registered in the Registry Office for the County of Welland, on the 24th day of August, 1910, as No. 14339, in Book L-1 for the Township of Bertie.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act respecting Certain Lands of the Canadian General Electric Company, Limited, in the County of Welland.

1st Reading

March 13th, 1928.

2nd Reading

3rd Reading

MR. HENRY.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 136. 1928.

BILL

An Act to make Better Provision for Widows and Orphan Children.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Widows and Orphans Maintenance Act, 1928.* Short title.

2. In this Act,— Interpretation.

"Judge" shall mean judge of the surrogate court of the county or district in which the testator was domiciled at the time of his death. "Judge."

3.—(1) Where it is made to appear to a judge that a deceased person has by his will so disposed of his real and personal property that adequate provision has not been made for the future maintenance of his widow or of any child of the testator under the age of eighteen years or of any dependent child over that age who through illness or infirmity is unable to earn a livelihood, the judge may make an order charging the estate of the testator with payment of an allowance sufficient to provide such maintenance. Power to order allowance out of testator's estate.

(2) Any such allowance may be by way of an amount payable annually or otherwise, or of a lump sum to be paid, or of certain property to be conveyed or assigned either absolutely or for life or for a term of years to the applicant, or for her use and benefit as the court may see fit; and in the event of a conveyance of property being ordered, the court may give all necessary and proper directions for the execution of the conveyance or conveyances, either by the executors or administrators or by such other person as the court may direct, or may grant a vesting order. Form of allowance.

4. The application for such order may be made by the widow or any such child or by the Official Guardian. Who may apply.

Procedure.

5.—(1) The application shall be made to the judge in chambers upon originating notice according to the practise of the court.

When application to be made.

(2) Where letters probate are applied for by the widow or by the guardian of children on behalf of such children, an application under this section for an allowance for such widow or for such children shall be made at the time of applying for letters probate and in every other case the application shall be made within six months after the death of the testator.

Distribution to be stayed pending order.

(3) After service of notice of the application the executors or trustees under the will of the testator shall not proceed with the distribution of the estate until the application is disposed of.

Notice to parties.

6. The judge shall not make any order until he is satisfied upon oath that all persons who are or may be interested in or affected by the order have had notice of the application and every such person shall be entitled to be present and to be heard in person or by counsel at the hearing.

Evidence to be given orally.

7. The evidence taken on any such application shall be given orally before the judge and shall be taken down in writing or in shorthand in the same manner as in the case of a trial of an action before a judge without a jury.

Matters to be considered by judge.

8. The judge upon the hearing of the application shall enquire into and consider,—

(*a*) the circumstances of the testator at the time of his death;

(*b*) the circumstances of the person on whose behalf the application is made;

(*c*) the claims which any other person may have as a dependent of the testator;

(*d*) any provision which the testator may have made in his lifetime for his widow and children or any of them;

(*e*) any services rendered by the testator's wife or children in his lifetime in the conduct of his business or occupation;

(*f*) any sum or any property provided by the widow or by a child to the testator for the purpose of providing

a home or assisting him in his business or occupation or for his maintenance or medical or hospital expenses; and

(*g*) generally any other matters which the judge deems should be fairly taken into account in deciding upon the application.

Payment for services rendered to testator.

9. Where the widow or child on whose behalf the application is made has given personal service or the gift or loan of money or real or personal property towards the advancement of the testator in his business or occupation, the judge may in and by his order fix a value in money upon such services or may fix the amount or value in money of any gift or loan so made, and may direct that the widow or child shall rank as a creditor upon the estate therefor, in the same manner and to the same extent as a judgment creditor upon a simple contract debt, but save as aforesaid an allowance payable under this Act shall be postponed to the claims of creditors of the estate.

When widow disqualified.

10. No order shall be made under this Act in favour of a widow who was living apart from her husband at the time of his death under circumstances which would disentitle her to alimony.

Allowance not to exceed share in intestate's estate.

11. Subject to the provisions of section 8 the amount or value of any allowance ordered to be paid shall not exceed the amount to which the person in whose favour the order is made would have been entitled if the testator had died intestate.

Costs.

12. The judge may direct that the costs of the application shall be payable out of the estate or otherwise as he may deem just.

Appeal.

13. An appeal shall lie to the Appellate Division from any order made under this Act and a Divisional Court upon such appeal may annul the order or reduce or increase the amount or value of any allowance fixed by the order and the decision of the court upon the appeal shall be final.

Application of Rev. Stat., c. 111.

14. *The Judges' Orders' Enforcement Act* shall apply to any order made under this Act.

Commencement of Act.

15. This Act shall come into force on the 1st day of July, 1928, and shall have effect as to the estate of any person dying on or after the day upon which it receives the Royal Assent.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to make Better Provision for Widows and Orphan Children.

1st Reading,

March 13th, 1928.

2nd Reading

3rd Reading

MR. FERGUSON.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 137. 1928.

BILL

An Act to amend The Ditches and Watercourses Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 12 of *The Ditches and Watercourses Act* is amended by adding at the end thereof the following: Rev. Stat., c. 316, s. 12, amended.

> Provided, however, that where a ditch has been in existence for fifteen or more years and the services of an engineer have been rendered and an award made regarding the same on two or more occasions, no proceedings may be taken under this section without the consent of a majority of the owners or occupants of the lands to be affected.

2. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Ditches and Watercourses Act.

1st Reading

March 14th, 1928.

2nd Reading

3rd Reading

MR. BELANGER.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 138. 1928.

BILL

An Act to vest certain lands in His Majesty.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The University Lands Act, 1928*. Short title.

2. The lands described as follows, namely:—

Firstly: All and singular that certain parcel or tract of land and premises situate, lying and being in the city of Toronto, in the county of York and Province of Ontario, and being composed of part of lot number thirteen (13) according to plan registered in the Registry Office for the city of Toronto as number D-18, more particularly described as follows: Commencing at the southeasterly angle of said lot number thirteen (13) said angle being also the northeasterly angle of lot number fifteen (15) according to said registered plan D-18; thence northerly in a straight line a distance of two hundred and seventy-three (273′) feet more or less, said straight line being the production northerly of the easterly limit of said lot number fifteen (15), to a point where the said straight line intersects the northerly limit of said lot number thirteen (13); thence easterly along the said northerly limit of lot number thirteen (13) one hundred and thirty feet (130′) more or less to the northeasterly angle thereof; thence southerly along the easterly limit of said lot one hundred and fifty-one feet ten inches (151′ 10″) two (2) chains and thirty (30) links more or less to the place of beginning. Lands in and about Queen's Park vested in Crown.

Secondly: The whole of lots numbers sixteen (16), seventeen (17), eighteen (18), nineteen (19), twenty (20), twenty-one (21), twenty-five (25), twenty-six (26) and twenty-seven (27), according to said registered plan D-18;

are hereby vested in His Majesty the King in the right of the Province of Ontario for the general purposes of the Province, free from all covenants, conditions, restrictions, liens, charges and encumbrances, except in the case of the lands firstly described, a life interest in one Charlotte Louisa Beatty, and as to the lands secondly described, all existing leases and tenancies.

Annual payment to University for twenty years.

3. The Treasurer of Ontario is authorized to pay to the Governors of the University of Toronto out of the Consolidated Revenue Fund in each year, commencing with the present fiscal year 1927-1928, for a period of twenty years, the sum of $52,157.68.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to vest certain lands in His Majesty.

1st Reading

March 14th, 1928.

2nd Reading

3rd Reading

MR. FERGUSON.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 139. 1928.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 65 of *The Municipal Act* is amended by adding thereto the following subsection: Rev. Stat., c. 233, s. 65, amended.

3a. Where the election of aldermen in cities and councillors in towns is by general vote the council may by by-law provide that the meeting for the nomination of candidates for aldermen or councillors shall be held at the same time and place as the nomination for mayor. Where election by general vote.

2. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

18 George V. 1928.

BILL.

An Act to amend The Municipal Act.

1st Reading,

March 15th, 1928.

2nd Reading

3rd Reading

MR. WILSON (East Windsor).

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 140. 1928.

BILL

An Act to amend The Power Commission Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Power Commission Act, 1928*. Short title.

2. Subsection 1 of section 14 of *The Power Commission Act* is amended by striking out clause (*b*) and substituting therefor the following: Rev. Stat., c. 57, s. 14, subs. 1, amended.

(*b*) to such further extent as may be necessary to repay any advances hereafter made by the Province to the Commission in annual sums which with interest thereon at the rate of four per centum per annum will be sufficient to meet such advance within a period of forty years which period shall commence one year from the end of the fiscal year in which such advance is made or in case postponement is authorized under section 16 then within forty years from the end of the fiscal year in which such postponement terminates. Application of receipts in sinking fund account.

3. Section 56 of *The Power Commission Act* is repealed and the following substituted therefor: Rev. Stat., c. 57, s. 56, repealed.

56. Notwithstanding anything in any general or special Act heretofore passed or in any contract heretofore entered into, and except where under the terms of any such contract power or energy is to be supplied to a municipal corporation at a fixed price, the price payable for power or energy by any municipal corporation shall be the cost to the Commission, as determined by it, of supplying and delivering power or energy to the corporation, including the corporation's proportion, as adjusted by the Commission, of,— Cost of power to municipality.

(*a*) the cost of operating, maintaining, renewing and insuring the works and the cost of administration of the Commission;

(*b*) interest at the rate or rates payable by the Commission upon the money expended by, or the obligations assumed by, the Commission in the construction or purchase of works, and upon all such other expenditures as the Commission may make under the provisions of this Act and upon working capital;

(*c*) an annual sum sufficient to form in forty years with interest at four per centum per annum, a sinking fund for the repayment of the advances made by the Province of Ontario under this Act for the payment of the cost of the works and also for the repayment of any other indebtedness incurred or assumed by the Commission in respect of the cost of the works.

Rev. Stat., c. 57, s. 63, subs. 5, repealed.

4. Subsection 5 of section 63 of *The Power Commission Act* is repealed.

Rev. Stat., c. 57, s. 73, amended.

5. Section 73 of *The Power Commission Act* is amended by adding thereto the following subsection:

Street lighting in areas in rural power districts.

(6) The council of the corporation may by by-law provide that such part of the said costs as to the council may seem proper shall be paid by the corporation and be chargeable to the municipality as a whole and while the said by-law remains in force only the moneys required to meet the balance of the said costs shall be raised in the manner prescribed in subsection 5 of this section, and the assent by the electors shall not be required to any such by-law.

By-laws confirmed.

6. By-laws numbers 1805 and 1806 of the corporation of the town of Lindsay; By-law number 605 of the corporation of the town of Milton; By-laws numbers 19 of 1921 and 54 of 1927 of the corporation of the village of Finch; By-laws numbers 299 and 302 of the corporation of the village of Richmond; By-law number 570 of the corporation of the township of Amaranth; By-law number 14 of the corporation of the township of Arran; By-law number 551 of the corporation of the township of Binbrook; By-law number 321 of the corporation of the township of Camden; By-law number 481 of the corporation of the township of Caistor; By-law number

897 of the corporation of the township of Clarke; By-law number 9 of the corporation of the township of Colborne; By-law number 9 of 1927 of the corporation of the township of Dawn; By-law number 8 of 1927 of the corporation of the township of Derby; By-law number 972 of the corporation of the township of Douro; By-law number 290 of the corporation of the township of East Garafraxa; By-law number 996 of the corporation of the township of East Whitby; By-law number 593 of the corporation of the township of Euphemia; By-law number 9 of 1927 of the corporation of the township of Finch; By-law number 245 of the corporation of the township of Fullarton; By-law number 22 of the corporation of the township of Gloucester; By-law number 1185 of the corporation of the township of Hamilton; By-law number 20 of the corporation of the township of Holland; By-law number 942 of the corporation of the township of Hope; By-law number 6 of 1927 of the corporation of the township of Hullett; By-law number 764 of the corporation of the township of Louth; By-law number 1093 of the corporation of the township of Maidstone; By-law number 325 of the corporation of the township of March; By-law number 903 of the corporation of the township of Markham; By-law number 242 of the corporation of the township of Matchedash; By-law number 545 of the corporation of the township of Monck; By-law number 10 of 1927 of the corporation of the township of Moulton; By-law number 439 of the corporation of the township of North York; By-law number 345 of the corporation of the township of Onondaga; By-law number 1288 of the corporation of the township of Pickering; By-law number 454 of the corporation of the township of Richmond; By-laws numbers 901 and 902 of the corporation of the township of Rochester; By-law number 117 of 1926 of the corporation of the township of Stamford; By-law number 874 of the corporation of the township of Sidney; By-law number 9 of the corporation of the township of Stanley; By-law number 461 of the corporation of the township of Tilbury West; By-law number 1192 of the corporation of the township of Vaughan; By-law number 3 of 1927 of the corporation of the township of East Wawanosh; By-law number 6 of the corporation of the township of West Wawanosh; By-law number 1143 of the corporation of the township of Whitby; By-law number 114 of the corporation of the township of West Ferris; By-law number 616 of the corporation of the township of West Williams; By-law number 445 of the corporation of the united townships of Medora and Wood, and all debentures issued or to be issued or purporting to be issued under any of the said by-laws which authorize the issue of debentures, are confirmed and declared to be legal, valid and binding upon such corporations and the ratepayers thereof respectively and shall not be open to question upon any ground whatsoever notwithstanding the requirements of *The Power*

Commission Act or the amendments thereto or any other general or special Act of this Legislature.

Commencement of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Power Commission Act.

1st Reading,

March 16th, 1928.

2nd Reading

3rd Reading

MR. COOKE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 141. 1928.

BILL

An Act to amend The Highway Improvement Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Highway Improvement Act, 1928*. Short title.

2. Section 22 of *The Highway Improvement Act* is amended by adding thereto the following subsection: Rev. Stat., c. 54, s. 22, amended.

(6) To remove doubts, it is declared that any by-law of the council of a county passed under this section shall have effect notwithstanding anything contained in the provisions of *The Municipal Act* respecting highways and bridges. Bridges reverting to townships.

3. The clause lettered *a* in subsection 5 of section 28 of *The Highway Improvement Act* is amended by inserting after the word "expended" the words "under the supervision of the county road superintendent." Rev. Stat., c. 54, s. 28, subs. 5, cl. *a*, amended.

4. Section 44 of *The Highway Improvement Act* is amended by adding thereto the following subsection: Rev. Stat., c. 54, s. 44, amended.

(6) Where a township receives aid from the Province in excess of sixty per centum of the cost of the work done upon any township road, the Minister may, if he deems it expedient so to do, appoint a road superintendent for the purpose of overseeing the work to be undertaken and in that case it shall not be necessary for the council of the township to appoint a road superintendent and the superintendent appointed by the Minister shall possess and exercise as to the work all the powers of a township road superintendent appointed in accordance with subsection 1. Appointment of township road superintendent.

5. Section 50 of *The Highway Improvement Act* is repealed and the following substituted therefor: Rev. Stat., c. 54, s. 50, repealed.

Additional aid to township for road improvements.

50. Where a township has complied with the provisions of this Act and the regulations made thereunder and in the opinion of the Minister it is unfair, owing to the location of the township or for any other reason, that the township should bear the cost of constructing or improving any road in such township, there may be paid to the township in any year, upon the recommendation of the Minister, as aid in excess of that which may be granted under section 48, such an amount as he may deem sufficient to relieve the township of excessive taxation for the work undertaken and such aid shall be chargeable to the fund, but in any one year the total aid granted shall not exceed ninety per centum of the amount expended in such township nor the sum of $6,000 in all, and where aid is granted under this section it shall be in lieu of any other grant to which the township might be entitled under any other Act.

Island township and ferry service.

(*a*) Where the township is an island in estimating the amount of aid to which the township may be entitled under this Part there may be included the whole or such proportion as the Minister may direct, of the cost of the establishing and maintenance of a ferry service between the island and the mainland by the municipal corporation of the township or its lessee or licensee.

Rev. Stat., c. 54, s. 65, subs. 4, amended.

6. Subsection 4 of section 65 is amended by striking out the following words in the tenth line: "under the provisions of," and substituting therefor the words "maturing within a period not exceeding twenty years from the date of issue of the debentures and payable in any manner provided by," and by striking out after the word "Act" in the tenth line the following words: "to be payable in such period as the Department may approve, but not exceeding twenty years at the furthest from the time or times when such debentures are issued," so that the subsection will now read as follows:

(4) Where it is deemed by the Minister desirable and expedient that a highway or portion thereof within a city, town or village, including any necessary bridges, should be constructed as a connecting link between portions of a provincial highway or a provincial suburban highway, the Department may designate such highway or portion thereof within the city, town or village to be constructed by the city, town or village, and the council of the corporation of the city, town or village may pass by-laws for issuing, and may issue debentures

maturing within a period not exceeding twenty years from the date of issue of the debentures and payable in any manner provided by *The Municipal Act*, for an amount sufficient to pay the cost of the construction of the highway and bridges within the said city, town or village, but it shall not be necessary for the council to obtain the assent of the electors to any by-laws for the issue of debentures under this subsection nor to observe the formalities in relation thereto prescribed by *The Municipal Act*. Rev. Stat., c. 233. Rev. Stat., c. 233.

7. *The Highway Improvement Act* is amended by adding at the end of Part V the following section: Rev. Stat., c. 54, amended.

77*a*. Notwithstanding anything in this Act or in *The Public Works Act* contained where any claim is made for damages or compensation in respect of land affected or taken or in respect of any work constructed or in course of construction, or as to the right of the Department to do or undertake any work under this Part, or in respect to any injury alleged to have been done to any person or property in the course of anything done or purporting to be done under the provisions of this Part, no action or other proceeding shall lie in respect of such matter but the same shall be heard and determined by the Ontario Railway and Municipal Board and the decision of the Board shall be final, subject to an appeal to the Appellate Division as provided by *The Railway and Municipal Board Act*. Reference o claims, etc., to Railway and Municipal Board. Rev. Stat., c. 225.

8. Section 83 of *The Highway Improvement Act* is amended by adding thereto the following subsection: Rev. Stat., c. 54, s. 83, amended.

(4) The council of a township may apply to the Department for authority to construct a sidewalk or footpath on a provincial highway or county road and the Department may grant such authority, and upon the completion of the work may approve of the same at their discretion, and upon such approval being given the Minister may authorize the payment to the township out of the fund of an amount not exceeding 30 per centum of the cost of the work. Sidewalks and footpaths on provincial and county highways.

9.—(1) *The Highway Improvement Act* is amended by adding thereto the following section: Rev. Stat., c. 54, amended.

88. Where under any Act of this Province a commission is appointed for the purpose of exercising or carrying out in any particular locality powers elsewhere Aid to commissions governing certain localities.

exercisable by a municipal council with respect to the construction or improvement of roads, the Minister, upon proof to his satisfaction of the amount expended and raised by taxation in the district under the control of the commission for the construction or improvement of any road, may direct payment out of the fund to the commission of the amount of 30 per centum of the cost of the work.

(2) The amendment made by subsection 1 shall have effect as from the 1st day of January, 1927.

Village of Hastings authorized to issue debentures to pay for improvements.

10. The municipal council of the village of Hastings, in the county of Northumberland, may pass a by-law or by-laws for issuing and may issue debentures maturing within a period not exceeding twenty years from date of issue and payable in any manner provided by *The Municipal Act* to an amount not exceeding in the whole the sum of $35,000,—

(*a*) To defer the cost heretofore incurred of paving and improving certain streets in the said village, forming connecting links in the county highway system, in accordance with the agreement entered into between the corporation of the said village and the municipal corporation of the united counties of Northumberland and Durham, dated the 17th of June, 1927.

(*b*) To defer the cost heretofore incurred of paving and improving Bridge Street northerly from Front Street to Albert Street in the said village.

(*c*) It shall not be necessary for the council to obtain the assent of the electors for any by-law for the issuing of debentures under this subsection, or observe the formalities in relation thereto as prescribed by *The Municipal Act.*

Rev. Stat., c. 233.

Commencement of Act.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Highway Improvement Act.

1st Reading

March 16th, 1928.

2nd Reading

3rd Reading

MR. HENRY.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 141. 1928.

BILL

An Act to amend The Highway Improvement Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Highway Improvement Act, 1928*. Short title.

2. Section 22 of *The Highway Improvement Act* is amended by adding thereto the following subsection: Rev. Stat., c. 54, s. 22, amended.

(6) To remove doubts, it is declared that any by-law of the council of a county passed under this section shall have effect notwithstanding anything contained in the provisions of *The Municipal Act* respecting highways and bridges. Bridges reverting to townships.

3. The clause lettered *a* in subsection 5 of section 28 of *The Highway Improvement Act* is amended by inserting after the word "expended" the words "under the supervision of the county road superintendent." Rev. Stat., c. 54, s. 28, subs. 5, cl. *a*, amended.

4. Section 44 of *The Highway Improvement Act* is amended by adding thereto the following subsection: Rev. Stat., c. 54, s. 44, amended.

(6) Where a township receives aid from the Province in excess of sixty per centum of the cost of the work done upon any township road, the Minister may, if he deems it expedient so to do, appoint a road superintendent for the purpose of overseeing the work to be undertaken and in that case it shall not be necessary for the council of the township to appoint a road superintendent and the superintendent appointed by the Minister shall possess and exercise as to the work all the powers of a township road superintendent appointed in accordance with subsection 1. Appointment of township road superintendent.

5. Section 50 of *The Highway Improvement Act* is repealed and the following substituted therefor: Rev. Stat., c. 54, s. 50, repealed.

Additional aid to township for road improvements.

50. Where a township has complied with the provisions of this Act and the regulations made thereunder and in the opinion of the Minister it is unfair, owing to the location of the township or for any other reason, that the township should bear the cost of constructing or improving any road in such township, there may be paid to the township in any year, upon the recommendation of the Minister, as aid in excess of that which may be granted under section 48, such an amount as he may deem sufficient to relieve the township of excessive taxation for the work undertaken and such aid shall be chargeable to the fund, but in any one year the total aid granted shall not exceed *eighty* per centum of the amount expended in such township nor the sum of $6,000 in all, and where aid is granted under this section it shall be in lieu of any other grant to which the township might be entitled under any other Act.

Island township and ferry service.

(*a*) Where the township is an island in estimating the amount of aid to which the township may be entitled under this Part there may be included the whole or such proportion as the Minister may direct, of the cost of the establishing and maintenance of a ferry service between the island and the mainland by the municipal corporation of the township or its lessee or licensee.

Rev. Stat., c. 54, amended.

6.—(1) *The Highway Improvement Act* is amended by adding at the end of Part V the following section:

Reference of claims, etc., to Railway and Municipal Board.

77*a*. Notwithstanding anything in this Act or in *The Public Works Act* contained where any claim is made for damages or compensation in respect of land affected or taken or in respect of any work constructed or in course of construction, or as to the right of the Department to do or undertake any work under this Part, or in respect to any injury alleged to have been done to any person or property in the course of anything done or purporting to be done under the provisions of this Part, no action or other proceeding shall lie in respect of such matter but the same shall be heard and determined by the Ontario Railway and Municipal Board and the decision of the Board shall be final, subject to an appeal to the Appellate Division as provided by *The Railway and Municipal Board Act*, but this section shall not be deemed to apply to any claim for damages due to negligence or failure to keep in

Rev. Stat., c. 225.

repair any provincial highway as provided by this Act.

(2) The amendment made by subsection 1 shall have effect as to any claim in respect to any work heretofore begun or undertaken and as to which no action or other proceeding has been commenced prior to the passing of this section.

7. Section 83 of *The Highway Improvement Act* is amended by adding thereto the following subsection: Rev. Stat., c. 54, s. 83, amended.

(4) The council of a township may apply to the Department for authority to construct a sidewalk or footpath on a provincial highway or county road and the Department may grant such authority, and upon the completion of the work may approve of the same at their discretion, and upon such approval being given the Minister may authorize the payment to the township out of the fund of an amount not exceeding 30 per centum of the cost of the work. Sidewalks and footpaths on provincial and county highways.

8.—(1) *The Highway Improvement Act* is amended by adding thereto the following section: Rev. Stat., c. 54, amended.

88. A commission appointed under any statute of Ontario for the purpose of exercising or carrying out in any particular locality power elsewhere exercisable by a municipal council with respect to the construction or improvement of roads shall have the like rights and powers and shall perform the like duties and be entitled to the same aid as the council of a township under the provisions of this Act. Aid to commissions governing certain localities.

(2) The amendment made by subsection 1 shall have effect as from the 1st day of January, 1927.

9. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Highway Improvement Act.

1st Reading

March 16th, 1928.

2nd Reading

March 21st, 1928.

3rd Reading

MR. HENRY.

(*Reprinted as amended in Committee of the Whole House.*)

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 142. 1928.

BILL

An Act to amend The Local Improvement Act.

HIS Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Local Improvement Act* is amended by adding thereto the following section: Rev. Stat. c. 235.

Assessment of right of way or railway, etc.

29*a*. Where the land abutting directly on any work undertaken as a local improvement is a right-of-way for a railway or for the transmission of electrical power the Council may exercise the powers conferred by subsection 1 of section 29 with respect to that part of the cost which would otherwise be specially assessed against such right-of-way.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Local Improvement Act.

1st Reading

March 16th, 1928.

2nd Reading

3rd Reading

MR. COOKE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 143. 1928.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 397 of *The Municipal Act* is amended by inserting the following paragraph: Rev. Stat., c. 233, amended.

4*a*. For licensing, regulating and governing dealers in coal or coke and for revoking and cancelling the license of any such dealer who has been convicted of an offence against any provision of such by-law or of any by-law passed under paragraph 11 of section 400.

(*a*) The fee for such license shall not exceed $20 per year.

2. Section 400 of *The Municipal Act* is amended by inserting the words "a description and grade of the coal or coke" after the word "written" in the twelfth line of paragraph 11 of said section. Rev. Stat., c. 233, s. 400, par 11 amended.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Municipal Act.

1st Reading,
March 16th, 1928.

2nd Reading

3rd Reading

MR. MCBRIEN.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty

No. 144. 1928.

BILL

An Act to amend The Public Utilities Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 2 of section 39 of *The Public Utilities Act* is amended by adding at the end thereof the following: Rev. Stat., c. 249, s. 39, subs. 2, amended.

"and when such approval has been given such salary or other remuneration shall not be changed or discontinued by the council without the consent of The Hydro-Electric Power Commission of Ontario."

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to amend The Public Utilities Act.

1st Reading,
March 16th, 1928.

2nd Reading

3rd Reading

MR. COOKE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 145. 1928.

BILL

An Act respecting the Acquisition of Land for School Purposes.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The School Sites Act, 1928.* Short title.

2. In this Act,— Interpretation.

(*a*) "Board" shall mean and include board of public school trustees, board of separate school trustees, board of education, high school board and advisory committee appointed under *The Vocational Education Act.* "Board."

(*b*) "Judge" shall mean judge or junior or acting judge of the county or district court of the county or district in which lands to be acquired for a school site under this Act are situate. "Judge."

(*c*) "Owner" shall include a mortgagee, lessee, tenant and occupant and any person entitled to a limited estate or interest, and a guardian, executor, administrator or trustee in whom land or any interest therein is vested; "Owner."

(*d*) "School site" shall mean the land necessary for a school house, school garden, teacher's residence, caretaker's residence, drill hall, gymnasium, offices and playgrounds connected therewith, or other land required for school purposes or for the offices of a board. R.S.O. 1927, c. 335, s. 1. *Amended.* "School site."

3. A judge who is a member of a board shall not act in any matter under this Act in which the board is interested. R.S.O. 1927, c. 335, s. 1. *Part.* Judge not to act when member of board.

4. The powers and duties conferred and imposed upon a Powers and duties to be subject to regulations.

board by this Act shall be subject to the regulations made under *The Department of Education Act*. R.S.O. 1927, c. 335, s. 2.

Restrictions as to selection in townships.

5.—(1) In a township a school site shall not be selected nor shall an existing school site be enlarged so as to include land which comprises or forms part of or is situate within one hundred yards of an orchard, garden, pleasure-ground or dwelling-house without the consent of the owner of such orchard, garden, pleasure-ground or dwelling-house unless the judge, upon the application of the board and after notice to all persons interested, certifies in writing that other land suitable for the required purpose cannot be obtained.

Exception.

Compensation to owner of orchard, etc.

(2) Where the judge so certifies the board shall pay to the owner of the orchard, garden, pleasure-ground or dwelling-house such sum as the judge, on the application of the owner, shall determine to be a fair compensation for having the school site located within such distance, and the costs of the application shall be in the discretion of the judge.

Application of section limited.

(3) This section shall not apply to that part of a township which lies within two miles from the limits of a city having a population of over 100,000. R.S.O. 1927, c. 335, s. 3.

Board may purchase or expropriate.

6.—(1) Subject to the provisions of section 5 and to the provisions of *The Public Schools Act*, as to the selection of a site by the board of a rural school section every board may acquire by purchase or otherwise or may expropriate any land described in a resolution of the board declaring that the same is required for a school site or for the enlargement of a school site.

Acquiring land in township adjoining city.

(2) The board of education for a city may acquire by purchase or otherwise, or may expropriate land in a township for the purposes of a school site where such land adjoins a road forming a boundary road between the city and the township.

Land not to be exempt from taxation.

(3) Where a board of education expropriates land under the provisions of subsection 2, such land shall not be exempt from taxation by the township, but the corporation of the township and the board of education may agree upon a fixed annual sum to be paid as taxes upon the said land, or in case of disagreement the amount shall be determined by the judge. R.S.O. 1927, c. 335, s. 4.

Acquiring land outside city for school sites.

Rev. Stat., c. 334.

7.—(1) The board of education of a city having a population of 50,000 or over or any advisory committee appointed by the board under *The Vocational Education Act*, may

acquire by purchase or otherwise any land in an adjacent municipality which the board or such advisory committee deems it desirable to acquire, in view of the probable further extension of the limits of the city, so as to include such land, but no land shall be acquired under this section at a greater distance than one mile from the limits of the city, and all land so acquired, so long as it is held by the board or such advisory committee, shall be subject to municipal assessment and taxation in the municipality in which it is situate.

Expropriation not authorized.

(2) Nothing contained in subsection 1 shall be deemed to authorize the expropriation of land by the board or the advisory committee of such city in any other municipality.

Power to dispose of sites so acquired.

(3) Where a board or an advisory committee has acquired land in any municipality under the provisions of subsection 1, and the same appears to the board or the advisory committee to have become undesirable for school purposes, the board or the advisory committee may sell, lease, or otherwise dispose of the same as it may deem expedient.

Section retroactive.

(4) This section shall have effect and apply as to all lands so acquired by the board of education or the advisory committee of a city since the 1st day of January, 1910. R.S.O., 1927, c. 335, s. 5.

Order for immediate entry on land taken.

8. At any time after a board passes a resolution declaring that any land is required for a school site, or for the enlargement of a school site and that immediate possession thereof is required by it, the board, by leave of the judge and upon payment into the Supreme Court of a sum sufficient, in the opinion of the judge, to satisfy the compensation, may enter upon and take possession of the land, and if any resistance or forcible opposition is made to its so doing, the judge may issue his warrant to the sheriff of the county in which the land lies to put the board in possession, and to put down such resistance or opposition, which the sheriff taking with him sufficient assistance, shall accordingly do. R.S.O. 1927, c. 335, s. 6.

Who may sell and convey to board.

9.—(1) Every corporation, tenant in tail or for life, guardian, executor, administrator and every trustee (not only for and on behalf of himself, his heir and successors but also for and on behalf of those he or they may represent, whether married women, infants, unborn issue, lunatics, or idiots), or other person, seized, possessed of or interested in any land may contract for, sell and convey all or part thereof or any interest therein to a board for a school site or for an enlargement of or addition to a school site; and any contract, agreement, sale, conveyance or assurance so made shall be valid

and effectual to all intents and purposes. R.S.O. 1927, c. 335, s. 7 (1).

Where there is no person who can convey.

(2) Where there is no person who under the provisions of subsection 1 of this section may contract, sell or convey, the Supreme Court may on the application of the board appoint some person to act for and on behalf of the owner for the purposes mentioned in subsection 1 and in any proceedings which may be taken under this Act, and may give proper direction concerning the disposition of the purchase money. R.S.O. 1927, c. 335, s. 7 (2). *Amended.*

Voluntary submission to arbitration.

10.—(1) Where the owner and the board are unable to agree on the compensation to be paid to the owner the amount to be paid shall be fixed and determined by the judge upon oral evidence at such time and place as he may upon notice to all concerned appoint.

Hearing.

(2) The hearing shall be conducted in the same manner as nearly as may be as in the case of a trial before the judge in an action in the county court and a subpoena may issue from the county court to command the attendance of witnesses.

Duties of Sheriff and clerk.

(3) The sheriff and the clerk of the county court shall perform the same duties and shall be entitled to the same fees as in the case of a trial in the county court.

Appeal.

(4) An appeal shall lie from the decision of the judge to the appellate division. *New.*

Interest payable to owner.

11. The judge shall determine what interest, if any, shall be paid to the owner. *New.*

Judge may order notice to be published and mailed.

12.—(1) On filing with the county judge the certificate of an Ontario land surveyor that he is not interested in the matter, that he knows the land, describing it, and that some certain sum named in the certificate is, in his opinion, a fair compensation for the land, the judge, if satisfied by affidavit or other evidence, that diligent enquiry has been made and that the owner is unknown or cannot be found, may order that a notice be inserted for such time as he may deem proper in some newspaper published in the county or district and may order that notice be also sent to any person by mail or served upon him in such manner as the judge may direct. R.S.O. 1927, c. 335, s. 10 (1).

Contents of notice.

(2) The notice shall contain a short description of the land and a statement of the readiness of the board to pay the sum so certified, shall give the name of the judge who is to determine the compensation under this Act and shall state the

time within which the offer is to be accepted, and such other particulars as the judge may direct. R.S.O. 1927, c. 335, s. 10 (2). *Amended.*

Determining compensation.

(3) If within the time stated the owner does not notify the board of his acceptance of the sum offered, the judge may proceed *ex parte* on oral evidence to determine the compensation to be paid. *New.*

Arbitrators may determine claims of encumbrancer, etc.

13. The judge may hear and determine all claims or rights of encumbrancers, lessees, tenants, occupants or other persons as well as those of the owner in respect to the land, provided that in such case the claimant or other person has first received ten clear days' notice of the intention to determine his claim or right. R.S.O. 1927, c. 335, s. 11. *Amended.*

Damages caused by severance.

14. Where part only of the lot or parcel of land of the owner is required the judge shall include in the compensation the amount which will in his opinion compensate the owner for any damage directly resulting from severance. R.S.O. 1927, c. 335, s. 12. *Amended.*

Right of desistment.

15.—(1) A notice of intention to acquire land may be desisted from by the board at any time within twenty-one days after the amount has been determined by the judge by giving written notice to the owner and filing the same with the clerk of the county court but the board shall in that case pay the whole cost of the proceedings and all damages sustained by the owner in consequence of the taking and abandonment and such costs shall be ascertained in a summary way by the judge. R.S.O. 1927, c. 335, s. 13 (1). *Amended.*

Not to be exercised more than once.

(2) The right of desistment shall not be exercised more than once. R.S.O. 1927, c. 335, s. 13 (2).

Cost of arbitration.

16. The costs of the proceedings shall be in the discretion of the judge, who may direct to and by whom and in what manner such costs or any part thereof shall be paid, and he may award any costs to be paid as between solicitor and client. R.S.O. 1927, c. 335, s. 14. *Amended.*

Vesting order.

17. If the amount determined by the judge and any cost awarded has been paid in the manner and to the person directed by the judge, he may make a vesting order vesting the land taken in the board and such order may be registered and shall confer upon the board a good title to the land taken. *New.*

Compensation to be paid within thirty days.

18.—(1) Every sum to be paid as compensation shall be

paid within thirty days after the determination of the amount to be paid. R.S.O. 1927, c. 335, s. 18 (1). *Amended.*

Payment into court.

(2) Where the person entitled thereto is absent or where for any other reason payment of such sum cannot be made pursuant to the award, or if the title to the land or any interest therein or the right to any part of the compensation is in doubt, or if for any other reason the board deems it advisable the board may pay the sum awarded or any part thereof into the Supreme Court with six months' interest thereon. R.S.O. 1927, c. 335, s. 18 (2).

Compensation awarded to stand in the stead of land taken.

19. The compensation for any land which is taken without the consent of the owner shall stand in the stead of the land; and any claim to or incumbrance upon such land, or any part thereof, shall, as against the board, be converted into a claim to the compensation or to a like proportion thereof and it shall be responsible accordingly, whenever it has paid the compensation, or any part thereof, to a person not entitled to receive the same, saving always its recourse against such person. R.S.O. 1927, c. 335, s. 19.

Compensation to be determined by official arbitrator.

20. In the case of a municipality for which an official arbitrator has been appointed under *The Municipal Arbitrations Act* the compensation to be paid to the owner shall be determined by the award of the official arbitrator instead of by the judge as hereinbefore provided, and the provisions of that Act shall *mutatis mutandis* apply. *New.*

Rev. Stat., c. 335, repealed.

21. *The School Sites Act*, being chapter 335 of the Revised Statutes, 1927, is repealed.

Commencement of Act.

22. This Act shall come into force on a day to be named by the Lieutenant-Governor by his proclamation.

Ontario.
18 George V, 1928.

BILL.

An Act respecting the Acquisition of Land for School Purposes.

1st Reading

March 16th, 1928.

2nd Reading

3rd Reading

MR. FERGUSON

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 146. 1928.

BILL

An Act to amend The Provincial Land Tax Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Provincial Land Tax Act, 1928*. Short title.

2.—(1) The subclause i in clause *b* of section 1 of *The Provincial Land Tax Act* is amended by adding at the end thereof the words "nor such improvements or equipment as lumber camps, tote roads, telephone lines, hoists, logging railways, dams or booms that may be used only temporarily in connection with logging or lumbering operations conducted under such license, lease or agreement." Rev. Stat., c. 30, s. 1, cl. *b*, subcl. i, amended. "Land."

(2) The amendment made by subsection 1 shall have effect as from the 5th day of April, 1927. Amendment retroactive.

3. Subsection 3 of section 4 of *The Provincial Land Tax Act* is repealed and the following substituted therefor: Rev. Stat., c. 30, s. 4, subs. 3, repealed.

(3) There shall be payable in respect of all land the owner of which is liable to taxation under this Act, a tax of not less than $2 on each parcel or lot, or where a parcel or lot has been divided or subdivided, on each separate portion into which such land has been divided or subdivided, and where such land has not been divided or subdivided and the total area thereof exceeds one hundred acres, the tax thereon shall not be less than $2 on each one hundred acres nor less than two cents an acre on any or all acreage in excess of one hundred acres. Amount of tax.

4. Section 6 of *The Provincial Land Tax Act* is repealed and the following substituted therefor: Rev. Stat., c. 30, s. 6, repealed.

6.—(1) Every owner of land in respect of which taxes are payable under this Act shall, on or before the 1st Return by owner.

day of September preceding the year in which the value of lands for assessment purposes is to be fixed under this Act, transmit to the collector a statement in the prescribed form setting out the land of which he is owner, the number of acres included therein, and the value thereof, including the value of any improvements, buildings, clearing, fencing, works and structures of every kind.

Statement of owner hereafter acquiring land.

(2) Every person who after the passing of this Act becomes the patentee or grantee from the Crown of land in respect of which taxes are payable under this Act, and every person other than such patentee or grantee from the Crown to whom after the passing of this Act any such land is assigned, transferred or conveyed shall, on or before the 1st day of September following the date on which he so becomes the owner, transmit to the collector the statement provided for in subsection 1 of this section.

Statement by present owners not assessed.

(3) Every person who being the owner of land in respect of which taxes are payable under this Act has not transmitted heretofore the statement provided for in subsection 1 of section 6 shall transmit the same to the collector on or before the 1st day of September, 1928.

Forms.

(4) Printed forms of return shall be supplied by the collector upon request of the owner.

Statement as to change in ownership.

(5) Where any person assessed as an owner of land under this Act assigns, transfers or otherwise conveys his interest in such land he shall give notice to the collector of such assignment, transfer or conveyance and the name and post office address of the person to whom the same was made, and in default such owner may be held liable for all taxes then payable or thereafter imposed in respect of such land until such notice is given.

Rev. Stat., c. 30, s. 10, repealed.

5. Section 10 of *The Provincial Land Tax Act* is repealed and the following substituted therefor:

Notice of taxation.

10.—(1) The collector on or before the 15th day of September in each year shall by registered post notify every owner of land to whom this Act applies, of the value of the land or interest therein upon which such owner is to be taxed and the total amount payable by such owner.

(2) Every owner desiring to make complaint as to his assessment shall, within thirty days after the date of registration of the notice provided for in subsection 1, transmit to the collector a notice of complaint in the prescribed form. Complaints as to assessment.

(3) Notwithstanding the delivery or transmission of any notice provided for in this section the collector at any time before the date for the hearing of the complaint has been fixed may correct any errors in any assessment and alter the register accordingly, and he shall do so upon notice being given to him of any errors and upon so correcting or altering any assessment he shall deliver or transmit to the person assessed an amended notice. Correction of errors.

6. Section 11 of *The Provincial Land Tax Act* is repealed and the following substituted therefor: Rev. Stat., c. 30, s. 11, repealed.

11. Where complaints are transmitted to the collector within the time hereinbefore limited, the collector shall at least fifteen days before the date for the hearing of the complaint notify each person who has made a complaint of the time and place at which the judge of the county or district court shall sit for the tax division for the purpose of hearing complaints with regard to the value of the land in respect of which the owner is taxable. Notice of hearing of complaints.

7. *The Provincial Land Tax Act* is amended by adding thereto the following sections: Rev. Stat., c. 30, amended.

11*a*.—(1) The judge shall attend at the time and place arranged by the collector for the hearing of such complaints, and, if no complaints are received within the time hereinbefore limited therefor, the sittings may be cancelled. Hearing.

(2) The assessment as determined by the judge shall be final and binding and shall not be open to question or dispute in any action or proceeding or otherwise, and shall be deemed to be the assessable value of the land for the purpose of this Act for the year for which the assessment is made and for each year thereafter until the following triennial assessment comes into effect. Finality of decision.

11*b*.—(1) Where statements are required to be filed under the provisions of subsection 2 or subsection 3 of section 6, assessments may be made at any time. When assessment to be made.

Triennial assessment.

(2) Subject to the provisions of subsection 1 assessments under this Act shall be made triennially and the triennial periods of assessment shall commence in the year 1928.

Rev. Stat., c. 30, s. 12, amended.

8. Section 12 of *The Provincial Land Tax Act* is amended by adding at the end thereof the words "except that the judge, in the absence of the consent of the collector or his agent, shall hear such complaints only as are included in the list of assessments provided by the collector as required by section 13 of this Act."

Limitation as to complaints to be heard by judge.

Rev. Stat., c. 30, ss. 13, 14 and 15 repealed.

9. Sections 13, 14 and 15 of *The Provincial Land Tax Act* are repealed and the following substituted therefor:

Attendance of collector at hearing of complaints.

13. The collector or his agent shall attend at every sittings of the judge and shall have with him at the sittings a list of assessments as to which notices of appeal have been given as above provided, containing the names of the owners of land liable to assessment and taxation in the tax division for which the sittings are held, and he shall correct, alter and amend the roll in accordance with the directions of the judge.

When tax to be payable for each year.

14. The taxes imposed by this Act shall be due and payable on or before the 1st day of February in the year following that in which the value of the land for assessment purposes is fixed and shall be the taxes for and in respect of the calendar year in which they are payable and for each year thereafter until the next triennial assessment takes effect and shall be apportionable accordingly.

Penalty for default in payment.

15. Where default is made in the payment of any tax under this Act, a penalty of five per centum shall be added and any taxes not paid before the 1st day of March in the year for which the same are payable shall, in addition to said penalty, bear interest at the rate of ten per centum per annum from said 1st day of March until paid.

Rev. Stat., c. 30, amended.

10. *The Provincial Land Tax Act* is amended by adding thereto the following section:

Notices,— how to be given.

23. Any notice or other written communication required by or given under the provisions of this Act may be given by registering and mailing the same in the post office, postpaid, to the collector or to the last known address of the owner of the land, as the case

may be, and the notice or other written communication shall be deemed to have been received when it was so mailed.

Commencement of Act.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Provincial Land Tax Act.

1st Reading,

March 19th, 1928.

2nd Reading

3rd Reading

MR. FINLAYSON.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 147. 1928

BILL

An Act to amend The Hospitals and Charitable Institutions Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Hospitals and Charitable Institutions Act, 1928*. Short title.

2.—(1) Section 1 of *The Hospitals and Charitable Institutions Act* is amended by striking out the clauses lettered *a* and *e* therein and substituting therefor the following: Rev. Stat., c. 359, s. 1, cls. *a*, *e*, repealed.

(*a*) For every public hospital a per diem rate of sixty cents, the total amount of such grant to be based upon the number of days actual treatment and stay of each patient admitted to or being within such hospital during the fiscal year next preceding the year for which such aid is given.

(*e*) For every home for incurables a per diem rate of sixty cents, the total amount of such grant to be based upon the number of days actual treatment and stay of each patient admitted to or being within such home during the fiscal year next preceding the year for which such aid is given.

(2) The said section 1 is further amended by adding thereto the following subsection: Rev. Stat., c. 359, s. 1, amended.

(2) The provisions of subsection 1 shall be subject to the provisions hereinafter contained and to any orders-in-council, regulations or directions made or given under such provisions.

3. Subsection 2 of section 5, subsection 1 of section 21 and section 22 of *The Hospitals and Charitable Institutions Act* are amended by striking out the figures "$1.50" and inserting in lieu thereof the figures "$1.75." Rev. Stat., c. 359, s. 5, subs. 2; s. 21, subs. 1; s. 22, amended.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent and shall have effect as from the 1st day of April, 1928.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Hospitals and Charitable Institutions Act.

1st Reading,

March 20th, 1928.

2nd Reading

3rd Reading

MR. GOLDIE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 148. 1928.

BILL

The Statute Law Amendment Act, 1928.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 7 of section 3 of *The Corporations Tax Act* is amended by striking out all the words in the first nine lines and inserting in lieu thereof the following: Rev. Stat., c. 29 s. 3, subs. 7, amended.

"In addition to the tax imposed by subsection 6, every company owning, operating or using a railway which, either by itself or in conjunction with any other railway leased by it or with which it is amalgamated or together with which it forms one system, exceeds one hundred and fifty miles in length from terminus to terminus, shall pay a tax of $25 per mile for one track, and where the line consists of two or more tracks of $20 per mile for each additional track owned, operated or used by the company." Tax on railway mileage.

(2) Subsection 11 of the said section 3 is repealed and the following substituted therefor: Rev. Stat., c. 29, s. 3, subs. 11, repealed.

(11) Every company owning, operating or using a telephone line or part thereof in Ontario for gain and having a paid-up capital of $100,000 or over shall pay a tax of one-quarter of one per centum upon the paid-up capital thereof. Tax on telephone lines.

(3) The amendments made by subsections 1 and 2 shall have effect as from the 31st day of December, 1927.

2. Section 12 of *The Tile Drainage Act* is repealed and the following substituted therefor: Rev. Stat., c. 65, s. 12, repealed.

12. The amount loaned to any one person shall not exceed $2,000 nor seventy-five per centum of the total cost of the work. Limit of loan to individual.

Rev. Stat., c. 68, s. 20, amended.

3. Section 20 of *The Agricultural Development Act* is amended by adding at the end thereof the following words: "or may be applied in redemption of debentures issued by the Board."

Rev. Stat., c. 88, s. 85, amended.

4. Section 85 of *The Judicature Act* is amended by inserting at the commencement thereof the words "unless otherwise directed by the Lieutenant-Governor in Council."

Rev. Stat., c. 91, s. 13, subs. 1, amended.

5. Subsection 1 of section 13 of *The County Courts Act* is amended by adding thereto the following clause:

(*aa*) Cochrane, on the second Tuesday of June and the fourth Tuesday of November.

Rev. Stat., c. 100, amended.

6. *The Dower Act* is amended by adding thereto the following section:

Bar of dower on sale in bankruptcy.

15*a*. Where the owner of land has become bankrupt and it is sought to sell such lands in order to wind up his estate, and the wife of such owner will not release her dower, the trustee or assignee in bankruptcy may apply to a judge of the Supreme Court or to a judge of the county or district court of the county or district in which the lands are situate, for an order enabling him to convey the land free from the dower of such wife and the order may be made subject to the like conditions and upon the like proceedings as are provided for in section 13.

Rev. Stat., c. 126, Sched. "A," amended.

7.—(1) Item number 6 under the heading of "Criers" in schedule "A" to *The Administration of Justice Expenses Act* is repealed and the following substituted therefor:

Crier's fee.

6. Attending high court division, general sessions, county court, and county or district court judge's criminal court, *per diem* ..... $2.00.

Rev. Stat., c. 126, Sched. "B," amended.

(2) The form of account for constables' fees in schedule "B" to the said Act is amended by striking out the line "court, *per diem* .....$2.00."

Rev. Stat., c. 192, s. 44, amended.

8. Section 44 of *The Law Society Act* is amended by inserting after the word "by-law" in the first line the words "affecting the admission of students at law, or the call or admission of barristers or solicitors."

Rev. Stat., c. 201, s. 25, repealed.

9. Section 25 of *The Land Surveyors' Act* is repealed and the following substituted therefor:

25. Except as hereinafter provided no person shall be admitted to practice as a surveyor until he Qualification of surveyors.

(*a*) has attained the age of twenty-one years;

(*b*) has passed the examination mentioned in section 24;

(*c*) has passed a final examination in the following subjects: practical astronomy, laying out of curves, theory and practice of levelling, descriptions by metes and bounds, use and adjustment of surveying and levelling instruments, *The Surveys Act*, *The Mining Act*, *The Registry Act*, *The Land Titles Act* and *The Municipal Act* (in so far as the last three mentioned Acts relate to roads, surveys and plans), rules of evidence and drawing of affidavits, taking of field notes and preparing plans, town-planning, geology and mineralogy, *The Ditches and Watercourses Act* and *The Municipal Drainage Act;*

(*d*) has served regularly and faithfully for three successive years, except as hereinafter provided, under an instrument in writing duly executed before two witnesses, as an apprentice to a surveyor duly admitted and practising as such, and has received from such surveyor a certificate of his having so served during that period, or proves to the satisfaction of the Board that he has so served.

10. Subsection 1 of section 17 of *The Loan and Trust Corporations Act* is amended by striking out the figures "17" in the fourth line and inserting in lieu thereof the figures "18." Rev. Stat., c. 223, s. 17, subs. 1, amended.

11. Section 18 of *The Railway and Municipal Board Act* is repealed and the following substituted therefor: Rev. Stat., c. 225, s. 18, repealed.

18. The chairman and the other members of the Board and the secretary shall be paid such salaries as shall from time to time be fixed by the Lieutenant-Governor in Council. Salaries of board and secretary.

12. Section 46 of *The Telephone Act* is repealed and the following substituted therefor: Rev. Stat., c. 227, s. 46, repealed.

46. The initiating municipality, or where commissioners have been elected, such commissioners may prescribe the terms on which a person not being a subscriber Prescribing terms of connection.

may procure his premises to be connected with the system, and the rate at which he may receive telephone service, and any such rate which has heretofore or may hereafter be approved by the Board may be collected in the same manner and with the like remedies as a rate due and unpaid by the subscriber.

Rev. Stat., c. 320, amended.

13. *The Wolf Bounty Act* is amended by adding thereto the following section:

Taking Affidavits.

12. Any person authorized to give a certificate under the provisions of this Act may take any affidavit required to be taken by any applicant for the purpose of obtaining such a certificate.

1927, c. 100, amended.

14. *The Village of Bayfield Act, 1927*, is amended by adding thereto the following section:

Election of police trustees.

8. The judge of the county court of the county of Huron on the application of any two resident owners of land in the police village may appoint a time for holding and a fit and proper person as returning officer to hold a new election in the police village rendered necessary by the disclaimer of office by all three persons elected at the first election on a motion being made to unseat them.

1927, c. 102, amended.

15. Section 2 of *The Municipality of Chapleau Boundaries Act, 1927*, is amended by striking out the word "westerly" in the twenty-third line and inserting in lieu thereof the word "easterly."

Gore Bay community hall.

Rev. Stat., c. 247.

16. The community hall heretofore erected by the council of the town of Gore Bay is declared to have been erected in pursuance of *The Community Halls Act* and the said council is declared to have and to have had the same power as a village under the said Act.

By-law of village of Hastings.

17. The municipal council of the village of Hastings may pass a by-law, without obtaining the assent of the electors qualified to vote on money by-laws, to authorize the issue of debentures to the amount of $32,500, maturing within twenty years from their date of issue and payable in any manner authorized by *The Municipal Act*, to pay the cost of paving and improving certain streets in the village of Hastings forming connecting links in the county highway system and mentioned in the agreement entered into between the corporation of the said village and the corporation of the united

counties of Northumberland and Durham, dated the 17th of June, 1927, and the cost of paving and improving Bridge Street northerly from Front Street to Albert Street in the said village. A by-law passed pursuant to the provisions of this subsection authorizing the issue of debentures to an aggregate principal amount of $32,500 and the debentures issued or to be issued under said by-law shall be valid and binding on the corporation of the village of Hastings and the validity of the said by-law and the said debentures shall not be open to question in any court on any ground whatsoever.

Commencement of Act.

18. This Act shall come into force on the day upon which it receives the Royal Assent.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

The Statute Law Amendment Act, 1928.

1st Reading

March 21st, 1928.

2nd Reading

March 23rd, 1928.

3rd Reading

MR. PRICE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 149. 1928.

BILL

An Act to amend The Companies Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Companies Act, 1928*. Short title.

2. The clause lettered *k* in subsection 1 of section 23 of *The Companies Act* is repealed, and the following substituted therefor: Rev. Stat., c. 218, s. 23, subs. 1, cl. *k*, amended.

(*k*) lend money to customers and others having dealings with the company or with whom the company proposes to have dealings and guarantee the performance of contracts by any such person.

3. Section 28 of *The Companies Act* is amended by adding thereto the following subsection: Rev. Stat., c. 218, s. 28, amended.

(4) The Lieutenant-Governor in Council may upon application revive any charter so forfeited, upon compliance with such conditions and upon payment of such fees as the Lieutenant-Governor in Council may designate. Charter may be revived.

4. Section 30 of *The Companies Act* is amended by adding thereto the following subsection: Rev. Stat., c. 218, s. 30, amended.

(2) The letters patent may be cancelled by order of the Lieutenant-Governor in Council if it appears that the company is in default for a period of one year in filing the annual returns, and that notice of such default has been sent by registered mail to each director of record in the Department to the latest address stated therein, and that such notice has been inserted once in the *Ontario Gazette*. Cancellation of charter on default in filing of returns.

5. Section 36 of *The Companies Act* is amended by adding thereto the following subsection: Rev. Stat., c. 218, s. 36, amended.

Not applicable to insurers.

(6) This section shall not apply to insurers incorporated under Part XVI.

Rev. Stat., c. 218, s. 56, subs. 1, repealed.

6.—(1) Subsection 1 of section 56 of *The Companies Act* is repealed, and the following substituted therefor:

Share certificate.

(1) Every shareholder shall, without payment, be entitled to a certificate signed by the proper officer in accordance with the company's by-laws in that behalf stating the number of shares held by him and the amount paid up thereon, but, in respect of a share or shares held jointly by several persons, the company shall not be bound to issue more than one certificate, and delivery of a certificate for a share to one of several joint shareholders shall be sufficient delivery to all.

Rev. Stat., c. 218, s. 56, subs. 4, repealed.

(2) Subsection 4 of the said section 56 is repealed, and the following substituted therefor:

Fee for certificate.

(4) Any company incorporated under the provisions of Part XI may make a charge of twenty-five cents for the issuance of every certificate referred to in subsection 1.

Rev. Stat., c. 218, amended.

7. *The Companies Act* is further amended by adding thereto the following sections:

Deposit of foreign probate, letters of administration, etc., with officer of company.

63*a*.—(1) If a transmission of shares or other securities of a company takes place by virtue of any testamentary act or instrument, or in consequence of an intestacy, and if the probate of the will or letters of administration or instrument under which the title, whether beneficial or as trustee, or the administration or control of the personal estate of the deceased is claimed to vest, purports to be granted by any court or authority in the Dominion of Canada, or in Great Britain, or any other of His Majesty's dominions, or in any foreign country, the probate of the said will or the said letters of administration or the said document testamentary or the said other judicial or official extract therefrom, shall, together with a statutory declaration showing the nature of such transmissions and signed and executed by the person or persons claiming by virtue thereof, be produced and deposited with the manager, secretary, treasurer, or other officer named by the directors for the purpose of receiving the same.

(2) Such production and deposit shall be sufficient justification and authority to the directors for paying the amount or value of any dividend, coupon, bond, debenture or obligation or share, or transferring, or consenting to the transfer of any bond, debenture or obligation or share, in pursuance of, and in conformity to such probate, letters of administration or other such document aforesaid. Will authorize directors to pay dividends, make transfers, etc.

64*a*.—(1) Where a compromise or arrangement is proposed between a company and its shareholders or any class of them affecting the rights of shareholders or any class of them under the company's letters patent or supplementary letters patent or by-laws, a judge of the Supreme Court may on application in a summary way of the company or of any shareholder order a meeting of the shareholders of the company or of any class of shareholders, as the case may be, to be summoned in such manner as the said judge directs. A Supreme Court Judge may order meeting of shareholders to consider compromise.

(2) If the shareholders or class of shareholders, as the case may be, present in person or by proxy at the meeting, by three-fourths of the shares of each class represented agree to the compromise or arrangement either as proposed or as altered or modified at such meeting, called for the purpose, such compromise or arrangement may be sanctioned by a judge as aforesaid, and if so sanctioned such compromise or arrangement and any reduction or increase of share capital and any provision for the allotment or disposition thereof by sale or otherwise as therein set forth, shall be confirmed by supplementary letters patent, which shall be binding on the company, and the shareholders or class of shareholders, as the case may be. Judge may sanction compromise if approved by three-fourths of shareholders. Confirmation by supplementary letters patent.

8. Section 65 of *The Companies Act* is repealed and the following substituted therefor: Rev. Stat., c. 218, s. 65, repealed.

65. A company, if authorized so to do by special Act, the letters patent or supplementary letters patent and subject to the provisions thereof, may, with respect to any share which is fully paid up, upon the deposit of the share certificate, if any, issue under the signature of the proper officer in accordance with the company's by-laws in that behalf, a warrant hereinafter called a share warrant, stating that the bearer of the warrant is entitled to the Issue of Share Warrants.

share and may provide, by coupons or otherwise, for the payment of the future dividends on such share.

Rev. Stat., c. 218, s. 82, amended.

9. Section 82 of *The Companies Act* is amended by adding thereto the following subsection:

Section 2 not applicable to certain by-laws

(3) The next preceding subsection shall not apply to any by-law which creates or attempts to create redeemable or convertible preference shares.

Rev. Stat., c. 218, amended.

10. Sections 101, 103, 104, 105, 106, 107, 109, 110, 111, 112, 113, 114, 115, 116, 117, 119, 120, 138 and 140 of *The Companies Act* are repealed.

Rev. Stat., c. 218, s. 102, subs. 1, amended.

11. Subsection 1 of section 102 of *The Companies Act* is amended by striking out all the words after "supplementary letters patent" in the ninth line thereof.

Rev. Stat., c. 218, s. 118, subs. 1, amended.

12.—(1) Subsection 1 of section 118 of *The Companies Act* is amended by striking out the word "two" in the second line and inserting in lieu thereof the word "one."

(2) Section 118 of *The Companies Act* is further amended by adding thereto the following subsection:

Penalty for default.

(2) Upon default in complying with the requirements of this section each director, manager, secretary or other officers of the company shall be liable upon summary conviction to a penalty not exceeding $50 for each day during which such default continues.

Commencement of Act.

13. This Act shall come into force on a day to be named by the Lieutenant-Governor in his proclamation.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Companies Act.

1st Reading

March 21st, 1928.

2nd Reading

3rd Reading

MR. PRICE.

TORONTO:
Printed by
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No. 150. 1928.

BILL

An Act respecting Information Concerning Companies.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Companies Information Act, 1928*. Short title.

2. In this Act,— Interpretation.

(*a*) "Company" or "corporation" shall include any public association, corporation, company, or other incorporated organization, whether acting as a trustee or not. "Company."

(*b*) "Syndicate" shall include any association, partnership, syndicate or unincorporated organization, whether acting as a trustee or not. "Syndicate."

(*c*) "Security" shall mean security as defined in *The Security Frauds Prevention Act*, and regulations made thereunder. "Security."

3.—(1) A prospectus containing such information as may from time to time be required by the Lieutenant-Governor in Council, verified as the Provincial Secretary may direct, together with the fee prescribed in the order-in-council, shall be filed with the Provincial Secretary by every company and syndicate Prospectus to be filed by companies and syndicates.

(*a*) upon the establishment in Ontario of a head or other office, and Ontario office.

(*b*) upon commencing any business in Ontario, or upon the sale in Ontario of any of its securities, and Doing business,—sale of securities.

(*c*) upon any material change in any fact set forth in the last prospectus filed, and Change in facts.

New issue.

(*d*) upon the sale in Ontario, of any issue of securities or any part thereof other than that in respect of which a prospectus has been filed.

Penalty.

(2) Upon default in the filing of any such prospectus for a period of more than ten days after it should have been filed under subsection 1, each director and officer of the company and each promoter of the syndicate, and any person acting as a representative in Ontario of an extra-provincial company or syndicate shall be liable upon summary conviction to a penalty of $20 for each day of such default, and in default of payment thereof to imprisonment for a term not exceeding three months.

Annual return of the Corporation.

4.—(1) On or before the 1st day of February in each and every year without notice or demand to that effect, every corporation incorporated under the laws of Ontario, and every other corporation having its head or other office or doing business or any part thereof, in the Province of Ontario, shall unless a corporation liable to payment of taxes under section 3 of *The Corporations Tax Act*, or unless an insurer licensed under *The Insurance Act*, make out, verify and deliver to the Provincial Secretary as hereinafter required, a detailed return containing as of the 31st day of December next preceding, correctly stated the following information and particulars:

Contents of return.

(*a*) The name of the corporation;

(*b*) The jurisdiction under the laws of which the corporation was incorporated;

(*c*) The manner in which the corporation is incorporated, whether by special Act, or by letters patent or otherwise, and the date thereof;

(*d*) Whether the existence of the corporation is limited, by statute or otherwise, and, if so, the period of its existence yet to elapse, and whether its existence may be lawfully extended;

(*e*) Whether the corporation is a valid and subsisting corporation;

(*f*) A concise and general statement of the nature of the business or objects of the corporation;

(*g*) The names, residences and post office addresses of the president, secretary, treasurer, director, and manager in the corporation;

(*h*) The name and post office addresses of the chief officer or manager in this Province;

(*i*) The location of the head office of the corporation, giving the street and number when possible;

(*j*) The location of the principal office in Ontario where the head office is situated outside of Ontario;

(*k*) The date upon which the last annual meeting of the corporation was held;

(*l*) The amount of the bond or debenture debt of the corporation;

(*m*) A detailed statement of the real estate owned by it situated within the Province, where situate and the value thereof;

And in the case of a corporation having share capital, in addition: If share capital.

(*n*) The amount of the capital stock of the corporation, and the number of shares into which it is divided;

(*o*) The number of shares issued and allotted and the amount paid thereon;

(*p*) The par value and if without par value, then the market value, or if there be no market value, the actual value of its shares of stock;

(*q*) The total amount of shares issued as preference shares;

(*r*) The total amount paid on such shares;

(*s*) The total number and amount of share warrants and the names, residences and post office addresses of the persons to whom the same were issued;

(*t*) The number of shares, if any, issued as consideration for any transer of assets, goodwill, or otherwise, and the extent to which same are paid; if none are so issued, this fact to be stated;

(*u*) Such other information as may be required by order-in-council, a copy of which order-in-council shall be published in the *Ontario Gazette*.

If a mining company.

If the corporation is a mining company to which Part XI of *The Companies Act* is made applicable:

(*v*) The number of shares sold or otherwise disposed of at a discount or premium;

(*w*) The rate at which such shares were sold or disposed of;

(*x*) Whether a verified copy of the by-laws, if any, providing for the sale of shares at a discount or otherwise was sent to the Provincial Secretary;

(*y*) The date or dates upon which such by-laws, if any, were passed and confirmed.

Posting of annual return.

(2) A duplicate of such return with the affidavit of verification shall be posted up in a conspicuous position in the head or principal office in Ontario of the corporation on or before the 2nd day of February in each year, and may be inspected by any shareholder or creditor of the corporation; and the corporation shall keep the same so posted until another return is posted up under the provisions of this Act.

Verification thereof.

(3) The return of every corporation shall be verified by the affidavit of any two of the directors of the corporation.

Transmission to Provincial Secretary.

(4) The return so verified shall, on or before the 10th day of February next after the time hereinbefore prescribed for making the return, be transmitted to the Provincial Secretary, together with the fee prescribed by order-in-council.

Penalty of default.

(5) If a corporation makes default in complying with the provisions of this section, every director and officer of the corporation, and any person acting as a representative of an extra-provincial corporation shall be liable upon summary conviction to a penalty of $20 for each day of such default and in default of payment thereof to imprisonment for a term not exceeding three months.

Corporations incorporated before July 1st, 1907, etc.

7 Edw. VII, c. 34.

(6) Corporations incorporated before the 1st day of July, 1907, under any Act repealed by *The Ontario Companies Act, 1907*, except chapter 191 of the Revised Statutes of Ontario, 1897, and Acts consolidated therewith for which that Act was substituted, shall make such returns under this section as are required from corporations without share capital.

Provincial Secretary may enlarge time.

(7) The Provincial Secretary may at his discretion and for good cause enlarge the time for making and delivering any such return.

(8) No registrar of deeds or land titles officer shall register any instrument made by or in favour of, or purporting to confer any interest in land, whether by way of caution, certificate or otherwise, upon any corporation regarding which he shall have received notice in writing from the Provincial Secretary that such corporation is in arrears in respect to any such return or any tax or fee payable with such return. R.S.O. 1927, c. 218, s. 138. Transfer to or by corporation in arrears not to be registered.

5. The Provincial Secretary may at any time by notice require any company to make a return upon any subject connected with its affairs within the time specified in the notice, and upon default in making such return the directors of the company and any person acting as a representative of such company in Ontario shall be liable upon summary conviction to a penalty of $20 for each day of such default, and in default of payment thereof to imprisonment for a term not exceeding three months. Provincial Secretary may require returns.

6. This Act shall come into force on a day to be named by the Lieutenant-Governor in his proclamation. Commencement of Act.

Ontario.
18 George V, 1928.

BILL.

An Act respecting Information Concerning Companies.

1st Reading

March 21st, 1928.

2nd Reading

3rd Reading

MR. PRICE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 151. 1928.

BILL

An Act to amend The Crown Timber Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Crown Timber Act, 1928*. Short title

2. Section 3 of *The Crown Timber Act* is amended by adding thereto the following subsection: Rev. Stat., c. 38, s. 3, amended.

(6) Subject to any rights which may have accrued to the Crown prior to the issue of the license, every license shall be deemed to have taken effect from the 1st day of May of the season for which it was granted. Commencement of term of license.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Crown Timber Act.

1st Reading

March 21st, 1928.

2nd Reading

3rd Reading

MR. FINLAYSON.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 152. 1928.

BILL

An Act respecting Embalmers and Funeral Directors.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Embalmers and Funeral Directors Act, 1928.* Short title.

2. In this Act,— Interpretation.

(*a*) "Articled Student" shall mean a person over eighteen years of age who has been duly registered by the Board as a student; "Articled Student."

(*b*) "Board" shall mean Board of Examiners appointed under this Act; "Board."

(*c*) "Embalmer" shall mean a person to whom a certificate of qualification as an embalmer or funeral director has been issued by the Board and to whom a license has been granted for the current year; "Embalmer"

(*d*) "Embalming" shall mean preservation of the dead human body, entire or in part, by the use of chemical substances, fluids or gases, ordinarily used, prepared or intended for such purpose, either by the outward application of such chemical substances, fluids or gases on the body, or by the introduction of the same into the body by vascular or hypodermic injection, or by direct application into the organs or cavities; "Embalming."

(*e*) "Funeral Director" shall mean a person qualified as an embalmer within the meaning of this Act who operates for himself, or under his own or any other name for another person, partnership, firm or incorporated company, a business for the purpose of furnishing to the public funeral supplies and services; "Funeral Director."

"Minister." (*f*) "Minister" shall mean the member of the executive council for the time being charged with the administration of this Act;

"Regulations." (*g*) "Regulations" shall mean regulations made under the authority of this Act.

Board of Examiners. **3**.—(1) The Lieutenant-Governor in Council may appoint a Board to be known as the "Board of Examiners" consisting of five qualified funeral directors who shall hold office for such term and be paid such fees or other remuneration as may be determined by the Lieutenant-Governor in Council.

Removal from office. (2) A member of the Board may be removed from office at any time for neglect of duty, incompetence or misconduct.

Quorum. (3) Any three members of the Board shall constitute a quorum.

Meetings. **4**.—(1) The Board shall hold meetings at least three times in every year at such time and place as may be deemed advisable by the majority of the members and may hold additional meetings at the call of the chairman or of any three members.

Notice of meetings. (2) Notice of every meeting, whether general or special, shall be given by the secretary in such manner that five days shall elapse between the receipt of the notice and the holding of the meeting.

Powers of chairman acting for Board. **5**.—(1) Where owing to the urgent nature of any situation requiring the consideration of the Board it is impossible to convene a meeting, the chairman shall act as and for the Board and shall report the circumstances of the case and the action taken thereon at the next meeting.

Effect of decision of chairman. (2) The decision of the chairman in such circumstances shall, subject to the provisions of section 10, be final and binding unless and until reversed or altered by the Board.

Regulations. **6**.—(1) The Board may make regulations,—

(*a*) providing for the establishment of new, or the approval of existing schools of embalmment or for the conducting of special courses of instruction in embalming and preparing the remains of deceased persons for interment;

(*b*) providing for the registration of students and fees payable thereon;

(*c*) prescribing the course of training and instruction of students;

(*d*) providing for the examination of candidates and the fees payable thereon;

(*e*) prescribing the conditions as to notice, place of hearing, representation of parties by counsel, manner of taking evidence and the effect of the order to be made on a hearing for the suspension or revocation of any license;

(*f*) for issuing certificates of qualification, licenses or permits to embalmers, and renewals of same, and providing for the fees payable thereon;

(*g*) for issuing licenses for engaging in and carrying on business as a funeral director and renewals of same, and providing for the fees payable thereon;

(*h*) for the inspection, regulation and approval by the local board of health of the premises, accommodation and equipment of funeral directors;

(*i*) prescribing the duties of the secretary or any other employee of the Board;

(*j*) specifying what shall be considered infamous or disgraceful conduct in a professional respect on the part of an embalmer or funeral director;

(*k*) providing for the engaging of and paying for any services deemed necessary by the Board;

(*l*) generally for the better carrying out of the provisions of this Act.

Approval and promulgation.

(2) The regulations shall not come into force or take effect until they have been approved by the Lieutenant-Governor in Council and such approval has been published in the *Ontario Gazette*.

Register.

7. The Board shall provide a register which shall be kept by the secretary, and in which shall be entered the name and address of every person to whom and the date upon which a certificate of qualification is granted.

Who may be registered.

8. Every person holding a certificate of qualification or license, in good standing, as an embalmer or undertaker on the date upon which this Act comes into effect may on or

before the 1st day of January, 1929, apply to the Board for a certificate of qualification or permit as an embalmer and shall, upon payment of the prescribed fee and upon furnishing such evidence of fitness as the Board may require, be entitled to receive such certificate or permit.

Renewal of licenses and permits.

9. The licenses or permits issued under the authority of this Act shall be renewable on the 1st day of January in each year and may be suspended or revoked by the Board on such evidence as in the opinion of the Board warrants such suspension or revocation, provided that revocation of a license or permit can only be effected by the unanimous vote of the Board.

Appeal to Minister.

10. Any person who feels himself aggrieved by the decision of the Board may within seven days appeal therefrom to the Minister upon giving such notice as the Minister may prescribe, and the decision of the Minister shall be final.

License compulsory.

11. Except as otherwise provided in this Act every person carrying on business in Ontario as a funeral director shall have a license as an embalmer and funeral director, and every partnership, firm or corporation carrying on such business shall have as manager of each establishment or branch operated by such partnership, firm or corporation, a person licensed as an embalmer and funeral director, and in all cases the furnishings and equipment shall be subject to the approval of the Board.

Report of Board.

12. The Board shall make a report to the Minister, on or before the 31st day of January in every year, showing,—

(*a*) the names of all licensed embalmers and funeral directors in the Province of Ontario, specifying whether "embalmer" or "funeral director," and the name of the firm, if any, with which each is associated;

(*b*) the number of new certificates granted during the preceding year and the persons to whom granted;

(*c*) the number of applications for certificates refused during the preceding year, and the cause for refusing same;

(*d*) the number of certificates revoked, cancelled or suspended during the preceding year;

(*e*) the amount of fees received from candidates or holders of certificates, licenses or permits during the preceding year;

(*f*) a statement setting out in detail the revenue and expenditure of the Board during the year, indicating the assets and liabilities at the end of the year;

(*g*) such other matters as may be directed by the Minister or the Lieutenant-Governor in Council.

Audit.

13. The receipts and expenditures of the Board shall be audited by a chartered accountant, not a member of the Board.

Permits in remote neighbourhood.

14.—(1) For the purpose of serving the public in sparsely settled areas in the Province, the Board shall have discretionary power to grant a permit enabling an applicant not fully qualified under this Act, to receive a certificate of qualification as an embalmer or funeral director, to prepare to the best of his ability the remains of deceased persons for interment.

Term of special permit.

(2) The permit provided for in subsection 1 may be renewed annually or may be cancelled on any renewal date.

Sparsely settled rural areas.

15. Nothing in this Act contained shall be deemed to prevent or prohibit any person from preparing or assisting in preparing the remains of deceased persons for interment in cases of emergency in sparsely settled rural areas where a qualified embalmer is not available.

Preparation of bodies for transportation out of Province.

16. The body of every deceased person who has died in Ontario and is destined for interment outside the Province shall, before being removed from Ontario, be prepared for interment in accordance with the rules and regulations of the Department of Health and in accordance with the provisions of this Act and the regulations made thereunder.

License, etc., to be put up in office.

17. A license, certificate or permit held by any embalmer or funeral director under this Act shall at all times be exposed to view in the place where the business of such person is carried on, or in the place in which he is employed, and failure to keep such license so exposed shall be *prima facie* evidence of the lack of qualification under this Act.

Penalty.

18. Every person, including an assistant or attendant, who not being the holder of a license or permit as an embalmer issued by the Board for the current year, attempts the practice of embalming or holds himself out as an embalmer, or uses any sign, letters, words or abbreviations implying that he is an embalmer shall incur a penalty not exceeding $25, but this section shall not apply to any registered or articled student working under the direct and personal supervision of a licensed embalmer nor to a university.

Penalty.

19. Except as provided by section 15 every person, partnership, firm or corporation carrying on business as an embalmer or funeral director, or advertising as such, without the license or permit specified in this Act shall incur a penalty not exceeding $25 for each day during which such business is so carried on.

Application of Rev. Stat., c. 121.

20. The penalties imposed by this Act shall be recoverable under *The Summary Convictions Act.*

Application of Rev. Stat., c. 120.

21. *The Public Authorities Protection Act* shall apply to the officials of the Board.

Notice of action for negligence.

Limitation.

22. No duly registered or licensed embalmer or funeral director shall be liable to any action for negligence or malpractice in respect of professional services requested or rendered, unless such action is commenced within three months from the date when, in the matter complained of, such professional services terminated.

Rev. Stat., c. 211, repealed.

23. *The Embalmers and Undertakers Act*, being chapter 211 of the Revised Statutes of Ontario, 1927, is repealed.

Commencement of Act.

24. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

An Act respecting Embalmers and Funeral Directors.

1st Reading,

March 21st, 1928.

2nd Reading

3rd Reading

MR. MCBRIEN.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 153. 1928.

BILL

An Act to amend The Public Health Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Public Health Act, 1928.* Short title.

2. Section 55 of *The Public Health Act* is amended by adding thereto the following subsection: Rev. Stat., c. 262, s. 55, amended.

(3) The provisions of subsection 1 shall apply to any person registered and practising as a drugless practitioner under the authority of *The Drugless Practitioners Act.* Reporting communicable disease.

3. Section 95 of *The Public Health Act* is amended by adding thereto the following subsections: Rev. Stat., c. 262, s. 95, amended.

(17) Where the corporations of the urban municipality and the township do not agree, as provided in subsection 16, as to the right of the township and the inhabitants to make use of such sewage disposal plant or as to the terms of such user, the Ontario Railway and Municipal Board upon the application of the corporation of the township may make an order conferring the right to make use of such sewage disposal system upon the township and upon the inhabitants thereof whose properties are adjacent thereto, and the terms and conditions as to such usage. Sewage disposal plant in another municipality.

(*a*) The corporation of the township may assess and collect as taxes whatever amount may be agreed upon with the urban municipality for every sewer connection to the sewage disposal plant or any connection therewith under this subsection in the same manner and to the same extent as if the same constituted a public utility owned by the township.

Right to connect with plant.

(18) Where the township does not apply to the Board as provided in subsection 17, the owner of any residence or dwelling in the township in proximity to the sewage disposal plant or to any connection therewith, may apply to the Ontario Railway and Municipal Board for an order declaring that such owner shall have the right to connect his property with such sewage disposal plant or any connection therewith.

Rev. Stat., c. 262, Sched. "B," par. 33, repealed.

4. The paragraph numbered 33 in the by-law in schedule "B" to *The Public Health Act* is repealed and the following substituted therefor:

Placarding communicable disease and contacts.

33. The medical officer of health within six hours after he has received notice of the existence in any house of any communicable disease or the presence of any communicable disease contacts in respect of which it is his duty to do so, shall affix or cause to be affixed near the entrance of such house, in plain view of the public, a card at least twelve inches wide and nine inches long, stating that such premises are under quarantine on account of such disease and the penalty for removal of such card without the permission of the medical officer of health, and no person shall remove such card without his permission.

Commencement of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Public Health Act.

1st Reading,

March 22nd, 1928.

2nd Reading

3rd Reading

MR. GODFREY.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 154. 1928.

BILL

An Act to amend The Local Improvement Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Local Improvement Act* is amended by inserting the following section: Rev. Stat., c. 235, amended.

30*a*. When the work is the construction of a sewer which is an outlet for the sewage from lands not abutting directly upon the work, the council may, in the by-law for undertaking the work passed by a vote of three-fourths of all the members, provide for the payment by the corporation of such part of the cost of the work as to the council may seem just, and that the residue thereof shall be specially assessed on the lands not abutting on the work but immediately benefitted thereby in the manner provided by sections 32 and 33.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Local Improvement Act.

1st Reading,

March 23rd, 1928.

2nd Reading

3rd Reading

MR. MCBRIEN.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 155. 1928.

BILL

An Act for Raising Money on the Credit of the Consolidated Revenue Fund.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Loan Act, 1928.* Short title.

2. The Lieutenant-Governor in Council is hereby authorized to raise by way of loan a sum of money not exceeding fifty million dollars ($50,000,000) for all or any of the purposes following, that is to say: For the public service, for works carried on by commissioners on behalf of Ontario, for the covering of any debt of Ontario on open account, for paying any floating indebtedness of Ontario, for the carrying on of the public works authorized by the Legislature and for redeeming in whole or in part the outstanding debentures of the Province of Ontario that have been issued free of succession duty. Loan of $50,000,000 authorized.

3. The aforesaid sum of money may be borrowed for any term or terms not exceeding forty years, at such rate as may be fixed by the Lieutenant-Governor in Council and shall be raised upon the credit of the Consolidated Revenue Fund of Ontario, and shall be chargeable thereupon. Terms to be fixed by Lieutenant-Governor.

4. The Lieutenant-Governor in Council may provide for a special sinking fund with respect to the issue herein authorized, and such sinking fund may be at a greater rate than the one-half of one per centum per annum specified in subsection 2 of section 4 of *The Provincial Loans Act.* Sinking fund. Rev. Stat., c. 21.

5. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario.
18 George V, 1928.

BILL.

An Act for Raising Money on the Credit of the Consolidated Revenue Fund.

1st Reading,

March 23rd, 1928.

2nd Reading

3rd Reading

MR. MONTEITH.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 156. 1928.

BILL

An Act to amend The Liquor Control Act (Ontario.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Liquor Control Amendment Act, 1928.* Short title.

2. The clause lettered *a* in section 10 of *The Liquor Control Act* is amended by adding thereto the words "and regulations." Rev. Stat., c. 257, s. 10, cl. *a*, amended.

3. The clause lettered *b* in section 10 of *The Liquor Control Act* is amended by adding thereto the words "and regulations." Rev. Stat., c. 257, s. 10, cl. *b*, amended.

4. The clause lettered *a* in section 14 of *The Liquor Control Act* is amended by striking out the words "each vendor" appearing in the second line thereof, and substituting the words "the vendors." Rev. Stat., c. 257, s. 14, cl. *a*, amended.

5. Section 18 of *The Liquor Control Act* is amended by striking out the word "Controller" appearing in the fourth line thereof, and substituting therefor the word "Commissioner." Rev. Stat., c. 257, s. 18, amended.

6. Subsection 2 of section 42 of *The Liquor Control Act* is amended by adding after the word "thereof" in the first line, the words "or any member of the family of the occupant." Rev. Stat., c. 257, s. 42, subs. 2, amended.

7. Section 62 of *The Liquor Control Act* is repealed, and the following substituted therefor: Rev. Stat. c. 257, s. 62, repealed.

62. Except as otherwise provided by this Act, or by the Regulations, a druggist or manufacturer of patent or proprietary medicines may sell such medicine in the original and unbroken package—if such medicine contains sufficient medication to prevent its use as an alcoholic beverage. Patent or proprietary medicines.

8. Subsection 1 of section 63 of *The Liquor Control Act* is amended by adding after the word "provided" in the first Rev. Stat., c. 257, s. 63, subs. 1, amended.

line thereof the words "in this Act or as provided by regulation."

Rev. Stat., c. 257, s. 63, subs. 2, amended.

9. Subsection 2 of section 63 of *The Liquor Control Act* is amended by striking out the words "this section" appearing in the second line thereof, and substituting the words "Sections 62, 63 or 64."

Rev. Stat., c. 257, s. 64, amended.

10. Section 64 of *The Liquor Control Act* is amended by adding thereto the following subsection:

Penalty for certain beverages.

(7) Any person who obtains or consumes for beverage purposes any of the products mentioned in sections 62 or 63, or who obtains or consumes for such purposes any of the products mentioned in section 64 shall be guilty of an offence, and liable to the penalties prescribed by subsection 3 of section 103 of this Act.

Rev. Stat., c. 257, s. 80, subs. 1, amended.

11. Subsection 1 of section 80 of *The Liquor Control Act* is amended by striking out the word "has" in the twelfth line and substituting the word "is," and striking out the word "been" in the thirteenth line, so that the last six lines will now read as follows:

"No liquor shall be had or kept by any person within the Province unless the package, not including a decanter or other receptacle containing the liquor for immediate consumption, in which liquor is contained is, while containing that liquor, sealed with the official seal prescribed under this Act."

Commencement of Act.

12. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Liquor Control Act (Ontario).

1st Reading,

March 26th, 1928.

2nd Reading

3rd Reading

MR. PRICE.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 157. 1928.

BILL

The Municipal Amendment Act, 1928.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Municipal Amendment Act, 1928.* Short title.

2. Section 51 of *The Municipal Act* is amended by adding thereto the following subsections: Rev. Stat., c. 233, s. 51, amended.

(3) It shall be the duty of the clerk of any such municipality having less than 10,000 municipal electors according to the last revised voters' list at least six days before the day fixed for holding the meeting for the nomination of candidates for membership in the council to send by registered letter post to the clerk of the county, a certificate under his hand and the seal of the corporation, stating the total number of municipal electors according to the last revised voters' list who are to be counted under the provisions of subsection 2, and to post up in his office a duplicate of such certificate. Certificate of clerk.

(4) If the clerk fails to send such certificate within the prescribed time he shall incur a penalty not exceeding $50 and if he certifies to a larger number of municipal electors than should be counted under the provisions of subsection 2, he shall incur a penalty not exceeding $200. Penalty for failure.

3. Subsection 1 of section 53 of *The Municipal Act* is amended by adding thereto the following clause: Rev. Stat., c. 233, s. 53, subs. 1, amended.

(*t*) A person who is an undischarged bankrupt or insolvent within the meaning of any Bankruptcy or Insolvency Act in force in Ontario.

4. Section 65 of *The Municipal Act* is amended by adding thereto the following subsection: Rev. Stat., c. 233, s. 65, amended.

Where election by general vote.

3*a*. Where the election of aldermen in cities and councillors in towns is by general vote the council may by by-law provide that the meeting for the nomination of candidates for aldermen or councillors shall be held at the same time and place as the nomination for mayor.

Rev. Stat., c. 233, s. 252, repealed.

5. Section 252 of *The Municipal Act* is repealed and the following substituted therefor:

Declaration of office.

252.—(1) Every qualified person elected to any municipal office shall take the declaration of office, where he is elected to fill a vacancy, within ten days after his election, and in other cases on or before the day fixed for holding the first meeting of the body to which he was elected, and in default he shall be deemed to have resigned.

(2) All persons elected at the annual elections for 1928, who failed to take the declaration of office within twenty days after their election but who did take it on or before the day fixed for holding the first meeting of the body to which they were elected, shall be deemed to have taken such declaration within the prescribed time.

(*a*) This subsection shall not apply when a new election has been held in consequence of such failure or in consequence of any such person having resigned.

Rev. Stat., c. 233, s. 297, subs. 1, cl. *j*, amended.

6. Clause *j* of subsection 1 of section 297 of *The Municipal Act* is amended by striking out the figures "54 or 55" in the second line and substituting therefor the figures "53 or 54."

Rev. Stat., c. 233, amended.

7. *The Municipal Act* is amended by adding thereto the following section:

Interest on compensation.

345*a*. The arbitrator may allow interest on the compensation at the rate of five per centum per annum from a day fixed by him.

Rev. Stat., c. 233, s. 399, par. 43, amended.

8. Paragraph 43 of section 399 of *The Municipal Act* is amended by inserting after the word "house" in the third line thereof the words "or lodging house."

Rev. Stat., c. 233, s. 400, par. 11, amended.

9. Section 400 of *The Municipal Act* is amended by inserting the words "a description and grade of the coal or coke" after the word "written" in the twelfth line of paragraph 11 of said section.

10. Section 400 of *The Municipal Act* is amended by adding thereto the following paragraph: Rev. Stat., c. 233, s. 400, amended.

14. For requiring retail vendors of coke selling by weight to store their stock of coke so that it will not be exposed to rain, snow or water, and for prohibiting the sale of coke which is not so stored. Storage of coke.

11. Section 410 of *The Municipal Act* is amended by striking out of the heading the words "and of townships in unorganized territory," and by inserting after the word "thereof" in the fifth line of paragraph 1 the words "measuring from centre to centre." Rev. Stat., c. 233, s. 410, amended.

12. *The Municipal Act* is amended by adding the following section:

410a. By-laws may be passed by the councils of townships in unorganized territory;

Width of Sleigh-runners.

1. For providing that no sleigh or other vehicle upon runners for the conveyance of articles of burden, goods, wares or merchandise, shall be used by any person on any of the highways within the municipality unless the runners thereof measuring from centre to centre are apart at the bottom at least four feet. Sleigh-runners.

13. Section 411 of *The Municipal Act* is amended by adding thereto the following paragraph: Rev. Stat., c. 233, s. 411, amended.

8*a*. Paragraph 2 of this section shall also apply to buildings and premises where coal, coke or other fuel is kept or stored for sale. Location of buildings for storage of coal, etc.

(*a*) This paragraph shall not apply to a building or premises which was on the 1st day of April, 1928, erected or used for any of such purposes, so long as it is used as it was used on that day.

14. Paragraph 9 of section 411 of *The Municipal Act* is amended by inserting at the end thereof the following: Rev. Stat., c. 233, s. 411, par. 9, amended.

"(*a*) The by-law may apply to any one or more classes or kinds of wheeled vehicles."

15. Section 415 of *The Municipal Act* is amended by adding thereto the following paragraph: Rev. Stat., c. 233, s. 415, amended.

Contracting with adjoining municipality for fire protection.

3*a*. For entering into a contract with the corporation of an adjoining municipality for the use, service and assistance of the fire brigade and the fire apparatus and equipment of such corporation in the event of fire in any defined area of the township and for levying a special annual rate on all the rateable property in such area to defray the expenses incurred under and incidental to such contract.

Rev. Stat., c. 233, amended.

16. *The Municipal Act* is amended by adding the following as section 431*a*:

431a. By-laws may be passed by Boards of Commissioners of Police of cities having a population of not less than 100,000

1. For licensing, regulating and governing dealers in coal or coke and for revoking and cancelling or suspending the license of any such dealer who has been convicted of an offence against any provision of such by-law or of any by-law passed under paragraph 11 of section 400.

(*a*) The fee for such license shall not exceed $5 per year.

Rev. Stat., c. 233, s. 437, amended.

17. Section 437 of *The Municipal Act* is amended by adding thereto the following clause:

(*aa*) A city having a population of not less than 50,000, $10,000.

Rev. Stat., c. 233, s. 490, amended.

18. Section 490 of *The Municipal Act* is amended by adding thereto the following subsection:

Exception as to lane.

(5) It is hereby declared that subsection 2 does not apply, and has never applied to any lane laid out in the rear of lands abutting on another highway or to any outlet connecting such a lane with a highway.

Commencement of Act.

19. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

The Municipal Amendment Act, 1928.

1st Reading,

March 26th, 1928.

2nd Reading

3rd Reading

MR. FINLAYSON.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 158. 1928.

BILL

An Act to make further provision for the University of Western Ontario.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The University of Western Ontario Act, 1928.* Short title.

2.—(1) The Board of Governors of the University of Western Ontario in the name of the corporation of the University of Western Ontario may from time to time borrow such sums, not exceeding $440,000, as may be necessary for the purpose of consolidating the indebtedness of the corporation and for such other purposes as the Board of Governors may deem necessary and expedient, and may make and execute such instruments as may be deemed requisite for securing payment of the sums so borrowed, and the interest thereon. University authorized to borrow $440,000.

(2) The sums so borrowed and the interest thereon shall stand and be charged upon all the property vested in, and the revenues and income of the corporation, and it shall not be necessary that any formal instrument declaring such charge shall be executed or registered. Securities for loan charged on property.

(3) The power of borrowing hereby conferred shall not be exercised unless with the approval of the Lieutenant-Governor in Council who may prescribe the terms and conditions on which from time to time the power shall be exercised and the money borrowed, and the nature of the securities to be given for the repayment of the money borrowed and of the interest thereon, which may be bonds, debentures, terminable annuities or such other form of security as the Lieutenant-Governor in Council may direct or authorize. How borrowing power to be exercised.

(4) The Lieutenant-Governor in Council for and in the name of the Province of Ontario may guarantee the securities for all sums borrowed by the corporation under the authority Guaranty of Province.

of this section, and the performance of the stipulations on its part contained in such securities.

Form of guaranty.

(5) The form and manner of the guaranty shall be determined by the Lieutenant-Governor in Council and the guaranty shall be signed by the Treasurer of Ontario or by such officer or person as shall be designated for that purpose by the Lieutenant-Governor in Council.

Effect of guaranty.

(6) Every guaranty so signed shall be binding on the Province and the purchaser of any security so guaranteed shall not be bound to inquire into the authority of the officer or person signing the guaranty.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

2nd Session, 17th Legislature,
Ontario.
18 George V, 1928.

BILL.

An Act to make further provision for the University of Western Ontario.

1st Reading,

March 26th, 1928.

2nd Reading

3rd Reading

MR. FERGUSON.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 159. 1928.

BILL

The School Law Amendment Act, 1928.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 4 of section 41 of *The Public Schools Act* is repealed. Rev. Stat., c. 323, s. 41, subs. 4, repealed.

2. The clause lettered *f* in subsection 2 of section 7 of *The Continuation Schools Act* is repealed. Rev. Stat., c. 325, s. 7, subs. 2, cl. *f*, repealed.

3.—(1) Subsection 4 of section 6 of *The High Schools Act* is repealed and the following substituted therefor: Rev. Stat., c. 326, s. 6, subs. 4, repealed.

(4) The board of trustees shall be composed of six members who shall be appointed by the council of the county. Trustees of high school district.

(4*a*) Two of the trustees so appointed shall be appointed in the first instance for three years, two for two years, and two for one year, and thereafter two trustees shall be appointed in each year to hold office for three years in place of those whose term has expired.

4. *The High Schools Act* is amended by adding thereto the following section: Rev. Stat., c. 326, amended.

39*a*.—(1) The council of any county in which the by-law mentioned in subsection 1 of section 34 is in force may establish a consultative committee which shall consist of the public school inspector or inspectors of the county, an officer appointed by the Department of Education and three members to be appointed by the council. Consultative committee.

(2) The council may submit to the committee, and direct it to report upon petitions for the setting up of new high school districts or the modification or alteration Functions of committee.

of the boundaries of existing districts, and may direct the committee to obtain information and make recommendations regarding any question affecting the facilities for education in the continuation schools and high schools in the county and the liability of the county for the support of such schools and the cost to the county of the education of pupils in such schools.

Department may employ committee.

(3) The Department of Education may direct the committee to obtain information upon any question affecting applications for the approval of continuation schools or high schools or of sites and buildings for such schools.

Statements from local school boards.

(4) Continuation school boards, high school boards and boards of education having control of schools within the county shall, upon application, furnish to the committee detailed statements of the names, residences and attendance of all resident, non-resident and county pupils and of all receipts and expenditures together with any further information which the committee may require concerning matters which in any way affect the liability of the county or the cost of education of pupils.

Recommendations not to bind Department or council.

(5) The reports of the committee and the recommendations made by it shall be used for the purpose of obtaining information only, and the recommendations of the committee shall not be binding upon the Department, the county council or the boards in control of continuation schools or high schools.

Rev. Stat., c. 326, s. 50, subs. 1, cl. *b*, amended.

5.—(1) The clause lettered *b* in subsection 1 of section 50 of *The High Schools Act* is amended by inserting after the word "examiners" in the seventh line the words "the Minister may appoint a separate school inspector to be a member of the board of examiners for any high school within his inspectorate."

Rev. Stat., c. 326, s. 51, subs. 1, cl. *a*, amended.

(2) The clause lettered *a* in subsection 1 of section 51 of *The High Schools Act* is amended by inserting after the word "board" in the sixth line the words "The Minister may appoint a separate school inspector to be a member of the board of examiners for any high school within his inspectorate."

Rev. Stat., c. 327, s. 22, amended.

6. Section 22 of *The Boards of Education Act* is amended by striking out the words "or who is appointed by the county council" in the second line and inserting in lieu thereof the words "or a member appointed by the county council who is

not a resident of the high school district" and by adding at the end thereof the words "in such district," so that the section will now read as follows:

County representatives on boards of education.

22. A member of a board who is a separate school supporter, or a member appointed by the county council who is not a resident of the high school district, shall not vote or otherwise take part in any of the proceedings of the board exclusively affecting the public schools in such district.

Rev. Stat., c. 328, s. 53, subs. 1, amended.

7. Subsection 1 of section 53 of *The Separate Schools Act* is amended by striking out the words "as provided by section 118 of *The Public Schools Act*" and inserting in lieu thereof the words "subject to appeal as is provided by section 121 of *The Public Schools Act*."

Commencement of Act.

8. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.
18 George V, 1928.

BILL.

The School Law Amendment Act, 1928.

1st Reading,
March 26th, 1928.

2nd Reading

3rd Reading

MR. FERGUSON.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 160. 1928.

BILL

An Act to amend The Vaccination Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Vaccination Act, 1928.*

Rev. Stat., c. 263, s. 9, amended.

2. Section 9 of *The Vaccination Act* is amended by inserting after the word "Act" in the sixth line the words "or does not comply with such other regulations as hereinafter provided."

Penalty for non-compliance

Rev. Stat., c. 263, s. 7, subs. 1, and s. 12, subs. 1, amended.

3. Subsection 1 of section 7 and subsection 1 of section 12 of *The Vaccination Act* are amended by adding at the commencement of each of the said subsections the words "Save as hereinafter provided."

Regulations not to apply to certain persons.

4. Any regulations requiring the vaccination or re-vaccination of all persons residing within the jurisdiction of any health officer shall be deemed not to apply to any person who makes an affidavit or statutory declaration before a justice of the peace or other person authorized to administer an oath to the effect that such person conscientiously believes that vaccination would be prejudicial to his health or to the health of his child as the case may be, or for conscientious reasons, objects to vaccination and delivers or transmits by registered mail to the health officer of the district in which he resides, a certificate by the justice of the peace or other authorized persons before whom the oath or declaration was made, of such conscientious objections.

Admission to schools of un-vaccinated pupils.

5. No form of vaccination, inoculation, or other medication shall hereinafter be made a condition precedent for the admission of any person to any public or private school, college or university, or other educational institution or for the employment of any person in any public or private business or industrial activity for the exercise of any right, the performance of any duty or for the enjoyment of any privilege.

Ontario.
18 George V, 1928.

BILL.

An Act to amend The Vaccination Act.

1st Reading,

March 26th, 1928.

2nd Reading

3rd Reading

MR. PROULX.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 161. 1928.

BILL

An Act to amend The Game and Fisheries Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Game and Fisheries Act, 1928.* Short title.

2.—(1) The clauses lettered *a*, *b* and *c* in section 7 of *The Game and Fisheries Act* are repealed and the following substituted therefor: Rev. Stat., c. 318, s. 7, cls. *a-c*, repealed.

(*a*) Any deer, moose or caribou in that part of Ontario lying north of the main line of the Canadian National Railway (formerly Grand Trunk Pacific Railway) from Quebec to the Manitoba boundary line, except from the 15th day of September to the 25th day of November, both days inclusive. Deer, moose, etc., north of C.N.R.

(*b*) Any deer, moose or caribou in that part of Ontario lying north of the Mattawa River and the main line of the Canadian Pacific Railway to Heron Bay on the north shore of Lake Superior and south of the main line of the Canadian National Railway, except from the 20th day of October to the 25th day of November, both days inclusive. Deer, moose, etc., north of Mattawa River and main line C.P.R. to Heron Bay.

(*c*) Any deer, moose or caribou in that part of Ontario lying north of Lake Nipissing and the French River and south of the main line of the Canadian Pacific Railway to Heron Bay on the north shore of Lake Superior except from the 1st day of November to the 25th day of November, provided however, that on St. Joseph's Island in the district of Algoma, the open season shall be from the 10th day of November to the 25th day of November, both days inclusive. Deer, moose, etc., north of Lake Nipissing and French River.

Deer, moose, etc., south of French and Mattawa Rivers.

(*cc*) Any deer, moose or caribou in that part of Ontario lying south of the French and Mattawa Rivers, except from the 5th day of November to the 20th day of November, both days inclusive.

Rev. Stat., c. 318, s. 7, cl. *f*, repealed.

(2) The clause lettered *f* in the said section 7 is repealed and the following substituted therefor:

Wild goose and duck north and west of French and Mattawa Rivers.

(*f*) Any wild goose or wild duck in that part of Ontario lying north and west of the French and Mattawa Rivers and also including all Georgian Bay waters, except from the 1st day of September to the 15th day of December in any one year, both days inclusive, other than wood and eider duck, which may only be taken during such period and on such terms and conditions as may be prescribed by the Lieutenant-Governor in Council.

Wild goose and duck south of French and Mattawa Rivers.

(*ff*) Any wild goose or wild duck in that part of Ontario lying south of the French and Mattawa Rivers (but not including any portion of the Georgian Bay waters) except from the 15th day of September to the 15th day of December in any one year, both days inclusive, other than wood and eider duck, which may only be taken during such period and on such terms and conditions as may be prescribed by the Lieutenant-Governor in Council.

Rev. Stat., c. 318, s. 9, subs. 3, amended.

3. Subsection 3 of section 9 of *The Game and Fisheries Act* is amended by striking out the words and figures "31st day of March" in the fourth line and inserting in lieu thereof the words and figures "28th day of February."

Rev. Stat., c. 318, s. 10, subs. 3, amended.

4. Subsection 3 of section 10 of *The Game and Fisheries Act* is amended by striking out the word "and" where it appears before the word "York" in the fifth line and by inserting after the said word "York" the words "Brant, Oxford, Waterloo, Middlesex, Lambton, Essex, Kent, Elgin, Norfolk and Haldimand."

Rev. Stat., c. 318, s. 11, subs. 4, amended.

5. Subsection 4 of section 11 of *The Game and Fisheries Act* is amended by striking out all the words after the word "procured" in the seventh line.

Rev. Stat., c. 318, amended.

6. *The Game and Fisheries Act* is amended by adding thereto the following section:

Licenses not to be issued in blank.

19*a*. It shall be unlawful for any issuer of licenses to issue, and for any person, while in a hunting camp or on his way to or from a hunting camp, to have in

his possession a hunting license without the name of the licensee filled in and any person contravening the provisions of this section shall be guilty of an offence against this Act.

7. The clause lettered *e* in section 20 of *The Game and Fisheries Act* is amended by striking out the word "fifteen" in the first line and inserting in lieu thereof the word "sixteen." Rev. Stat., c. 318, s. 20, cl. *e*, amended.

8. Section 25 of *The Game and Fisheries Act* is amended by inserting before the word "fox" in the second line of the last paragraph of the said section the words "silver and black." Rev. Stat., c. 318, s. 25, amended.

9.—(1) Subsection 2 of section 59 of *The Game and Fisheries Act* is amended by inserting after the word "launch" in the fourth line the words "or any railway car, including a caboose and a baggage or express car" and by inserting after the word "such" in the fifth line the words "railway car." Rev. Stat., c. 318, s. 59, subs. 2, amended.

(2) Subsection 4 of the said section 59 is amended by striking out the words "railway car" where they occur in the eleventh and fifteenth lines thereof. Rev. Stat., c. 318, s. 59, subs. 4, amended.

10. This Act shall come into force on the 1st day of June, 1928. Commencement of Act.

2nd Session, 17th Legislature,
Ontario.
18 Geo. V, 1928.

BILL.

An Act to amend The Game and Fisheries Act.

1st Reading,

March 28th, 1928.

2nd Reading

3rd Reading

MR. MCCREA.

TORONTO:
Printed by
The Printer to the Kings' Most Excellent Majesty.

No. 162. 1928.

BILL

An Act for granting to His Majesty certain sums of money for the Public Service of the financial year ending on the 31st day of October, 1928, and for the Public Service of the financial year ending the 31st day of October, 1929.

MOST GRACIOUS SOVEREIGN:

Preamble.

WHEREAS it appears by message from His Honour William Donald Ross, Esq., Lieutenant-Governor of the Province of Ontario, and the estimates accompanying the same, that the sums hereinafter mentioned in the schedules to this Act are required to defray certain expenses of the public service of this Province, not otherwise provided for, for the financial year ending the 31st day of October, 1928, and for the financial year ending the 31st day of October, 1929, and for other purposes connected with the public service; May it therefore please Your Majesty that it may be enacted, and it is hereby enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, as follows:—

$7,873,078.00 granted for year ending 31st October, 1928.

1. From and out of the Consolidated Revenue Fund of this Province, there may be paid and applied a sum not exceeding in the whole Seven million eight hundred and seventy-three thousand and seventy-eight dollars towards defraying the several charges and expenses of the public service of this Province, not otherwise provided for, from the 1st day of November, 1927, to the 31st day of October, 1928, as set forth in Schedule "A" to this Act.

$38,639,318.00 granted for fiscal year 1928-29.

2. From and out of the Consolidated Revenue Fund of this Province, there may be paid and applied a sum not exceeding in the whole Thirty eight million six hundred and thirty-nine thousand three hundred and eighteen dollars towards defraying the several charges and expenses of the public service of this Province, not otherwise provided for, from the 1st day of November, 1928, to the 31st day of October, 1929, as set forth in schedule "B" to this Act.

Accounts to be laid before Assembly.

3. Accounts in detail of all moneys received on account of this Province during the said financial year 1927-28, and of all expenditures under Schedule "A" of this Act, shall be laid before the Legislative Assembly at its first sitting after the completion of the said period; and accounts in detail of all moneys received on account of this Province during the financial year 1928-29 and of all expenditures under Schedule "B" of this Act shall be laid before the Legislative Assembly at the first sitting after the completion of the said financial year.

Appropriations for 1927-28 unexpended to lapse.

4. Any part of the money under Schedule "A" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the 31st day of October, 1928, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or at such subsequent date as may be fixed by the Lieutenant-Governor in Council under the provisions of *The Audit Act* shall lapse and be written off.

Appropriations for 1928-29 unexpended to lapse.

5. Any part of the money under Schedule "B" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the 31st day of October, 1929, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or after a date fixed by the Lieutenant-Governor in Council as mentioned in section 4 shall lapse and be written off.

Accounting for expenditure.

6. The due application of all moneys expended under this Act out of the Consolidated Revenue shall be accounted for to His Majesty.

Commencement of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of October, one thousand nine hundred and twenty-eight to defray expenses of:

Prime Minister's Department..	$2,474,975 00
Legislation.....	5,900 00
Attorney-General's Department	19,090 06
Insurance Department.....	4,375 00
Education Department.....	2,074,151 00

Lands and Forests Department.	$240,000 00
Mines Department.....	6,557 80
Game and Fisheries Department.	18,795 00
Public Works Department.....	1,988,701 54
Highways Department.....	45,914 00
Health Department.....	46,525 00
Labour Department.....	169,100 00
Provincial Treasurer's Department.....	19,550 00
Provincial Auditor's Office....	19,600 00
Provincial Secretary's Department.....	534,501 10
Agriculture Department.....	131,597 50
Miscellaneous.....	73,745 00
Total estimates for expenditure of 1927-1928.....	$7,873,078 00

SCHEDULE "B."

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of October, one thousand nine hundred and twenty-nine to defray expenses of:

Lieutenant-Governor's Office...	$6,050 00
Prime Minister's Department..	8,335,600 00
Legislation.....	384,575 00
Attorney-General's Department	2,061,415 00
Insurance Department.....	49,625 00
Education Department.....	7,900,189 00
Lands and Forests Department.	2,547,450 00
Northern Development Department.....	499,725 00
Mines Department.....	360,600 00
Game and Fisheries Department	527,825 00
Public Works Department.....	1,262,165 00
Highways Department.....	562,339 00
Health Department.....	686,450 00
Labour Department.....	2,675,705 00
Provincial Treasurer's Department.....	619,950 00
Provincial Auditor's Office.....	98,725 00
Provincial Secretary's Department.....	6,829,540 00
Agriculture Department.....	2,608,390 00
Miscellaneous.....	623,000 00
Total estimates for expenditure of 1928-1929.....	$38,639,318 00

Ontario.
18 George V, 1928.

BILL.

An Act for granting to His Majesty certain sums of money for the Public Service of the financial year ending on the 31st day of October, 1928, and for the Public Service of the financial year ending the 31st day of October, 1929.

1st Reading

March 29th, 1928.

2nd Reading

March 29th, 1928.

3rd Reading

March 29th, 1928.

MR. MONTEITH.

TORONTO:
Printed by
The Printer to the King's Most Excellent Majesty.

No. 163. 1928.

BILL

An Act to authorize the Purchase and Operation of the Windsor, Essex and Lake Shore Rapid Railway.

Preamble.

WHEREAS the corporations of the township of Sandwich West, the township of Sandwich East, the township of Sandwich South, the township of Maidstone, the township of Colchester North, the township of Gosfield North, the township of Gosfield South, the township of Mersea, the town of Essex, the town of Kingsville, the town of Leamington and the city of Windsor have by petition represented that they desire to purchase, rehabilitate and operate the Windsor, Essex and Lake Shore Rapid Railway; and whereas it is expedient that an Act should be passed empowering the said corporations to purchase, rehabilitate and operate the said railway; and whereas the said corporations have by their petition further prayed that it may be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928.*

Interpretation.

2. In this Act,—

"Corporations."

(*a*) "Corporations" shall mean the corporations of the township of Sandwich West, the township of Sandwich East, the township of Sandwich South, the township of Maidstone, the township of Colchester North, the township of Gosfield North, the township of Gosfield South, the township of Mersea, the town of Essex, the town of Kingsville, the town of Leamington, and the city of Windsor, or such of them as may become parties to the agreement referred to herein and in schedule "A" to this Act.

"Railway." (*b*) "Railway" shall mean the Windsor, Essex and Lake Shore Rapid Railway.

"Association." (*c*) "Association" shall mean the Windsor, Essex and Lake Shore Electric Railway Association formed pursuant to the provisions of this Act.

Formation of Association. **3**. There is hereby created and constituted a body corporate and politic under the name of the "Windsor, Essex and Lake Shore Electric Railway Association," consisting of as many members as there are corporations, one member to be appointed by the council of each corporation and to hold office for three years and until his successor is appointed. In case of any vacancy in the representation of any corporation in the Association, the council of such corporation may by resolution appoint another member to fill the vacancy. Any member of the council of any of the corporations shall be eligible for appointment as a member of the Association. A majority of the members shall form a quorum for the transaction of business. The first meeting of the Association may be called by the member appointed by the city of Windsor by written notice served on the other members, and at such first meeting the Association shall appoint one of the members as chairman and another as vice-chairman.

By-laws of Association. **4**. The Association may from time to time enact, make, alter, repeal, amend, vary and re-enact by-laws for the carrying on, management and regulation of the undertaking of the Association and for giving effect to the provisions of this Act, and the agreement in the schedule hereto, and for governing the proceedings of the Association, the conduct of its members, the appointment or calling of meetings of the Association and generally such by-laws as the Association may consider necessary or expedient in connection with the business and affairs of the Association, and the Association may from time to time appoint such officers and employees as the Association may deem necessary for the proper conduct of the business of the Association, and may prescribe their duties and fix their remuneration.

Execution of by-laws. **5**. Every by-law shall be under the seal of the Association and shall be signed by the chairman or by the person presiding at the meeting at which the by-law has been passed and by the secretary or assistant secretary.

Power to acquire and operate railway. **6**. The Association may upon behalf of the corporations purchase, acquire, construct, rehabilitate, extend, complete, equip, maintain and operate the railway as provided in the agreement set out in the schedule to this Act, and for that purpose shall have and may for the purpose aforesaid exercise

all the powers, rights, immunities and privileges of a company incorporated by a special Act for the construction of a railway under *The Railway Act* so far as the same are applicable. Rev. Stat. c. 224.

7.—(1) The Association and the corporations may by by-law authorize the execution of an agreement in the form or to the effect set out in the schedule to this Act, or with such variations, additions, alterations or amendments as may be approved by the Lieutenant-Governor in Council either before or after the execution thereof, and the said agreement when executed shall be legal, valid and binding upon the corporations and the ratepayers thereof and upon the Association; and the Association and the corporations shall have and may exercise all powers necessary to the effectual performance by the Association and the corporations of all the terms, provisions, covenants, stipulations and conditions contained in said agreement. Authority to execute agreement.

(2) It shall not be necessary to submit for the assent of the electors any by-law passed by the municipal council of any of the corporations either to authorize the execution of said agreement or to authorize the issue of debentures pursuant to said agreement or for any other purpose whatever under this Act or said agreement. Assent of electors not required.

8.—(1) The Association may with the consent of a majority of the corporations, such consent to be in the form of a municipal by-law, enter into a contract with any body corporate, commission or railway company operating any railway in the county of Essex providing for the management, construction, rehabilitation, extension, completion, equipment, maintenance and operation of the railway on behalf of the Association and the corporations, and for the performance by such body corporate, commission or railway company of any or all of the duties and obligations with respect to the management, construction, rehabilitation, extension, completion, equipment, maintenance and operation of the railway to be performed by the Association under this Act or the agreement other than the issue of the bonds of the Association as referred to in this Act and in the said agreement, and any such body corporate, commission or railway company may enter into such contract with the Association, and for that purpose and to the extent provided in the said contract, shall have and may exercise all or any of the powers, and may perform any or all of such duties and obligations. Power of Association to make agreement for construction, operation, etc.

(2) Where such contract is made, the said body corporate, commission or railway company shall, with respect to the management and operation of the railway, maintain separate and distinct books and accounts from the books and accounts Separate books of account to be kept.

of any other undertaking in which it is engaged, and all moneys received by it in connection with such operation shall be kept in a separate bank account and shall not be merged with its funds derived from any other source.

Case of failure of corporation to execute agreement.

9.—(1) Where any one or more of the municipal corporations referred to in this Act, whether or not named as a party to the agreement, has or have failed to pass the necessary by-law and to execute the agreement, and the principal amount of debentures to be deposited by such corporations with the Association, as referred to in schedule B to said agreement, does not exceed the sum of $165,000 and the remaining corporations, parties to the agreement, have by resolution of their respective councils, declared it desirable to proceed with the undertaking, notwithstanding the failure of such first-mentioned corporation or corporations to execute the agreement, the agreement shall, nevertheless, be legal, valid and binding upon the Association and the corporations who execute the same; provided, however, that in such case the corporations which have executed the agreement shall deposit with the Association in the respective proportions in which they undertake by the agreement as set forth in schedule B thereto, to deposit debentures with the Association, additional debentures to the aggregate amount of the debentures which said first-mentioned corporation or corporations would have been required to deposit with the Association if they had executed the agreement with the Association.

Subsequent execution of agreement.

(2) Should any corporation which has so failed to execute the agreement subsequently execute the same and deposit debentures as required by the agreement, the Association shall return to the other corporations the additional debentures deposited under subsection 1, and such debentures may be cancelled by the respective corporations.

Association not bound to construct until corporation executes agreement.

(3) Until a corporation, party to the agreement, has executed the agreement and deposited debentures with the Association as required by this Act or the agreement, the Association shall not be bound to construct, equip, maintain, or operate within the limits of the corporation any works contemplated by the agreement except such as may be necessary for the construction, equipment and maintenance of the railway in passing through the municipality to and from municipalities, the corporations of which have executed the agreement and deposited debentures to the amounts stated therein.

Execution of counterparts.

10. For the sake of convenience the agreement may be executed in any number of counter parts and when so executed shall be as binding and effectual as if all the parties executing any such counter parts had all executed the one counter part,

11.—(1) Where land is required for any of the purposes for which land may be acquired or expropriated under *The Railway Act*, the Association in respect thereof shall have the powers and shall proceed in the manner provided by *The Public Works Act*, where the Minister of Public Works takes land or property for the use of Ontario; and the provisions of the said Act shall, *mutatis mutandis*, apply. Expropriation of land, Rev. Stat., c.c. 224, 52.

(2) Where compensation would be payable upon the exercise of any powers by the Commission under *The Railway Act*, the same shall be determined in the manner provided by *The Public Works Act*. Determination of compensation.

12. Any and all municipal rates required to be levied by the corporations for payment of debentures or interest thereon referred to in this Act or the agreement, shall be raised, levied and collected from the rateable property in the districts described and enumerated in schedule "C" to the agreement. Levy of rates.

13. All bonds and other securities duly authorized to be executed by the Association shall, unless otherwise specially authorized or provided, be sealed with the seal of the Association and signed by the chairman or vice-chairman and countersigned by the secretary or assistant secretary of the Association or signed or countersigned by some other person or persons authorized by by-law to sign or countersign the same, provided that the lithographed signatures of the chairman or vice-chairman and the secretary or assistant secretary may be affixed to all coupons attached to such bonds. All bonds sealed with the seal of the Association and countersigned as hereinbefore provided and purporting to be issued in pursuance of any by-law of the Association shall be legal, valid and binding on the Association. Execution of bonds of Association.

14. Every trust indenture made by the Association to secure any bonds or other securities of the Association and creating a mortgage, charge, hypothecation, pledge or incumbrance of or upon the whole or any part of the property, assets and undertaking of the Association, present or future or both, as described in said trust indenture, shall be deposited in the office of The Railway and Municipal Board of which deposit notice shall forthwith be given in the *Ontario Gazette* and such trust indenture need not be registered or filed under the provisions of any law respecting registration, filing or recording of instruments affecting real or personal property. A copy of any such trust indenture so deposited certified to be a true copy by the chairman or secretary of the Association, shall be *prima facie* evidence of the original without proof of the signature of such official. Deposit of mortgage securing bonds with Railway and Municipal Board.

Purchase of running rights.

15. As part of any line of railway constructed or operated under the authority of this Act, the Association may purchase, lease or obtain running rights over any steam railway, electric or street railway or bus line or any part thereof.

Extension of railway.

16.—(1) If at any time the corporation of any adjacent municipality applies to the Association for an extension of the railway into its municipality the Association shall notify the applicant and the corporations, in writing, of a time and place to hear all representations that may be made as to the terms and conditions relating to such proposed extension. Applications for extension into more than one municipality may be heard and determined at one time.

(2) If, on the recommendation of the Association, such extension shall be authorized, without discrimination in favour of the applicant, as to the cost incurred or to be incurred for or by reason of any such extension, the Association may extend the railway upon such terms and conditions as may appear equitable to the Association.

(3) No such application for an extension of the railway into any municipality the corporation of which is not a party to this agreement shall be granted if it is estimated by the Association that the cost of service of the railway to the corporations parties hereto will be thereby increased or the revenue and accommodation be injuriously affected without the written consent of the majority of the corporations parties hereto.

Debentures not be counted in ascertaining limit of borrowing powers.

17. Debentures issued and debts contracted by any corporation pursuant to this agreement shall not be included in ascertaining the limits of the borrowing powers of the corporation as prescribed by *The Municipal Act*, and debentures may be issued and debts contracted by the corporations for the purposes mentioned in this agreement notwithstanding the limitations prescribed by *The Municipal Act*.

Certain sections of Rev. Stat., c. 224, not to apply.

18. Sections 65 to 68 and section 210 of *The Railway Act* shall not apply to the corporations or the Association or to any railway constructed, purchased or operated under authority of this Act, but the construction, equipment and operation of such railway by the Association shall be in accordance with the provisions of *The Railway Act* except where they are inconsistent with the provisions of this Act.

Commencement of Act.

19. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

This indenture made the ———— day of ———— in the year of our Lord one thousand nine hundred and ————.

BETWEEN:

WINDSOR, ESSEX AND LAKE SHORE ELECTRIC RAILWAY ASSOCIATION (hereinafter called the "Association"),

of the first part,

—and—

THE CORPORATIONS OF THE

(hereinafter called the "Corporations"),

of the second part.

Whereas the Corporations have procured a report upon the cost of acquisition, rehabilitation, construction, equipment and operation of an electric railway, now known as The Windsor, Essex and Lake Shore Rapid Railway and running through certain districts in which the Corporations are situated, and over the routes described in Schedule "A" together with the probable revenue that would result from the operation of such railway;

And whereas on receipt of the said report the Corporations requested the Association to acquire, rehabilitate, construct, equip and operate the said electric railway (hereinafter called the railway) over the routes laid down in Schedule "A" attached hereto, upon the terms and conditions and in the manner herein set forth;

And whereas the Association has agreed with the Corporations on behalf of the Corporations to acquire, rehabilitate, construct, equip and operate the railway upon the terms and conditions and in the manner herein set forth;

Now therefore, this indenture witnesseth:

1. In consideration of the premises and of the agreements of the Corporations herein contained, the Association agrees with the Corporations and each of them as follows:

(*a*) To acquire, rehabilitate, construct, equip and operate the railway through the districts in which the municipalities are situate on behalf of the Corporations;

(*b*) To rehabilitate, construct, equip and operate the railway so acquired over the routes laid down in Schedule "A";

(*c*) To issue bonds, as provided in clause 3 of this Agreement, to cover the cost of acquiring, rehabilitating, constructing and equipping the railway;

(*d*) To furnish as far as possible first-class modern and standard equipment for use on the railway, to operate this equipment so as to give the best service and accommodation possible, having regard to the district served, the type of construction and equipment adopted and all other equitable conditions, and to exercise all due skill and diligence so as to secure the most effective operation and service of the railway consistent with good management;

(*e*) To regulate and fix the fares and rates of toll to be collected by the railway for all classes of service;

(*f*) To utilize the routes and property of the railway for all purposes from which it is possible to obtain a profit;

(*g*) To permit and obtain interchange of traffic with other railways wherever possible and profitable;

(*h*) To apply the revenue derived from operation of the railway and any other revenue derived from the undertaking to the payment of operating expenses, including the supply of electrical power or energy, the cost of administration, and annual charges for interest and sinking fund and such other deductions as are hereinafter provided for;

(*i*) To set aside from any revenue thereafter remaining an annual sum for the renewal of any works belonging in whole or in part to the undertaking;

(*j*) To pay over annually to the Corporations, after the repayment in full of all the Association's bonds, if deemed advisable by the Association in the interests of the undertaking, any surplus that may remain after providing for the items above mentioned. The division of such surplus between the Corporations to be fixed by the Association on an equitable basis, having regard in the case of each Corporation to the respective amounts of debentures deposited by the Corporations with the Association pursuant to this Agreement.

(*k*) To take active steps for the purpose of acquiring, rehabilitating, constructing, equipping and operating the railway at the earliest possible date after the execution of this Agreement by the Corporations and the deposit of the debentures as called for under sub-clause (*b*) of clause 2 hereof;

(l) To make such extensions to the railway described in Schedule "A" as may appear advantageous and profitable from time to time.

Provided always that as part of any line of railway acquired, constructed and operated by the Association, the Association may purchase, lease or obtain running rights over, any steam railway, electric railway or street railway or bus line or any part thereof.

2. In consideration of the premises and of the agreements herein set forth the Corporations and each of them agree with each other and with the Association as follows:

(*a*) To bear the cost of acquiring, rehabilitating, constructing, equipping, operating, maintaining, repairing, renewing and insuring the railway and its property and works and to pay the principal, interest and premium, if any, of and on the bonds of the Association issued for the railway;

(*b*) To issue debentures for the respective amounts set opposite their respective names in Column 3 of Schedule "B" to this Agreement and to deposit the said debentures with the Association previous to the issue by the Association of its bonds mentioned above;

(*c*) To make no Agreement or arrangement with, and to grant no franchise, license or other inducement to any other railway or transportation company without the written consent of the Association;

(*d*) To keep, observe and perform the covenants, provisos and conditions set forth in this Agreement intended to be kept and observed and performed by the Corporations, and to execute such further or other documents and to pass such by-laws as may be requested by the Association for the purpose of fully effectuating the objects and intent of this Agreement;

(*e*) To furnish a free right-of-way for the railway over any property of the Corporations upon being so requested by the Association, and to execute such conveyance thereof or Agreement with regard thereto as may be desired by the Association.

3. (*a*) It shall be lawful for the Association and the Association is hereby authorized to create or cause to be created an issue of bonds of the Association to the aggregate principal amount of One Million Dollars

($1,000,000) and the Association from time to time subject to sub-clause (*b*) of this clause 3 may increase such bond issue by the issue of further bonds for such amount as the Association may deem necessary to cover the capital cost of extensions, improvements, and additional properties, works and equipment of any kind, or any of them, for use on or in connection with the railway; and the Association, from time to time, upon such terms as it deems proper, may sell, hypothecate, pledge or otherwise dispose of any bonds of the Association issued under this Agreement but only after deposit with the Association of the debentures of the Corporations as provided in this Agreement;

(*b*) Subject as hereinafter in this sub-clause (*b*) provided, the Association shall obtain the consent of a majority of the Corporations before increasing the said bond issue by the issue of further bonds, such consent in each case to be in the form of a Municipal By-law duly passed by the Council of the Corporation for which the assent of the electors shall not be necessary; provided that where such further bonds are being issued to cover capital cost within the limits of one Municipality only the consent of the Corporation of that Municipality alone shall be necessary; and provided further that it shall not be necessary to obtain the consent of any of the Corporations in respect to the issue of further bonds from time to time up to an amount not exceeding ten per cent. (10%) of the aggregate amount of the bonds of the Association issued with the consent of the Corporations as above mentioned and outstanding from time to time;

(*c*) The bonds issued by the Association from time to time under this Agreement shall respectively bear such date, carry such rate of interest, be payable at such place or places and in such monies and upon such terms and conditions and mature within such period not exceeding fifty (50) years from the date thereof as the Association may determine at the time of issuing the said bonds; all bonds issued by the Association under this Agreement shall form part of the said bond issue, shall rank *pari passu*, and shall be equally charged upon and secured by the railway and every extension thereof and all lands and interests in lands, buildings, fixtures, improvements, stations, terminals, rolling stock, equipment, income, tolls, revenue, sources of money, rights, powers, privileges, franchises and all properties and assets of or belonging to the Railway as a first mortgage or charge thereon;

(*d*) In order to provide for the payment of the said bonds the Association shall in each year after the expiration of five (5) years from the date of the said bonds respectively or such shorter period as the Association may determine out of the revenue of the railway after payment of operating expenses, including the supply of electrical power or energy and the cost of administration and annual charges for interest, set aside annually as a sinking fund such sums as with the estimated interest at the rate of four per cent. (4%) per annum compounded annually would be sufficient in forty (40) years to repay the said bonds respectively, and such sinking fund shall be held for and applied towards the repayment or retirement of the said bonds respectively or any renewal or refunding thereof at maturity and in the meantime may be invested in securities issued by or guaranteed by the Province of Ontario; and the Association shall have power at such times as it may deem expedient to issue further bonds to such amounts as will realize the net sum required after the application of the accumulated sinking fund on hand available therefor to repay the said bonds as the same respectively mature;

(*e*) The Association, upon such terms as it deems proper, but subject always to the terms of any trust deed securing the bonds of the Association, may lease, sell, or otherwise dispose of, free from any lien, charge, mortgage or encumbrance, any property real or personal which the Association may deem unnecessary for the purpose of the railway or any section or extension thereof and the Association shall use or dispose of the proceeds thereof only for the purposes of the railway in expenditures on capital account or shall invest the same in securities of or guaranteed by the Province of Ontario or shall apply the same for the retirement of the said bonds or partly in one way and partly in the other.

4. (*a*) The debentures issued by the Corporations as mentioned in sub-clause (*b*) of clause 2 hereof shall bear the same date as the bonds issued by the Association to the aggregate principal amount of One Million Dollars ($1,000,000), referred to in clause 3 (*a*) hereof and shall carry a rate of interest not less than the said bonds and shall mature within fifty (50) years from the date of such debentures; the interest shall be payable half-yearly and both principal and interest shall be payable in lawful money of Canada at Toronto, Ontario, and at such other place or places, if any, as the Corporation in each case may determine;

(*b*) From time to time, whenever the Association shall authorize an increase of the said bond issue by the issue of further bonds of the Association as hereinbefore provided, the Corporations upon requisition in writing from the Association shall issue and deposit with the Association further debentures to the respective amounts specified in the said requisition; the said further debentures shall be for an aggregate of not less than One Hundred and Ten per centum (110%) of the principal amount of the said further bonds of the Association constituting the said increase; shall bear the same date as the said bonds; shall carry a rate of interest not less than the said bonds, and shall mature within fifty (50) years from the date of the said debentures; the interest shall be payable half-yearly and both principal and interest shall be payable in lawful money of Canada at Toronto, Ontario, and at such other place or places, if any, as the Corporation in each case may determine;

(*c*) All debentures issued by the Corporations under this Agreement shall be held or disposed of by the Association in trust for the holders of the bonds of the Association issued for the Railway as collateral security for the payment thereof in such manner and at such time or times and upon such terms and conditions as the Association in its discretion may determine;

(*d*) In the event of the revenue derived from the operation of the Railway being insufficient in any year to meet the operating expenses of the railway, including the supply of electrical power or energy, the cost of administration and the annual charges for interest and sinking fund on the bonds of the Association, and if the Association deems advisable, for the renewal of any works belonging in whole or in part to the railway, such deficit shall be forthwith paid to the Association by the Corporations upon demand of and in the proportion adjusted and specified by the Association; and such respective amounts so specified by the Association shall be debts due and owing by the respective Corporations to the Association and may be recovered by the Association from each such Corporation in any Court of competent jurisdiction together with interest at the rate of six per cent. per annum on the balance of any such amounts not paid upon demand as aforesaid; and the production by the Association of the notice to the Corporation specifying the amount owing and of proof of delivery thereof to the Corporation shall be conclusive evidence of the amount due and owing by the Corporation to the Association as a debt;

(*e*) In default of payment by any Corporation or Corporations of any amount demanded by the Association under sub-clause (*d*) of this clause 4, the Association may upon such terms as it may deem advisable borrow on the security of and pledge or hypothecate the debentures of any Corporation or Corporations to raise the moneys required to meet the amount or amounts so in default; and if the moneys so borrowed shall not have been paid by the Corporations or any of them together with the interest on the moneys so borrowed within two months from the date of such borrowing, the Association may sell at such price or prices and on such terms and conditions as it may deem proper, sufficient debentures of any Corporation or Corporations to realize the moneys required to repay the moneys so borrowed and the interest thereon. Whenever the debentures of any Corporation shall have been sold as aforesaid, every such Corporation shall in each year thereafter in lieu of the annual sinking fund levies provided for under the respective By-law or By-laws authorizing the issue of such debentures so sold levy for sinking fund such amounts as shall be sufficient to meet at maturity such debentures so sold and shall thereupon issue and deposit with the Association, upon the same terms and

for the same purposes as the original debentures so deposited, additional debentures of such Corporation payable in the same manner and upon the same terms and conditions and to the same principal amount as the debentures so sold, without prejudice to the rights of each such Corporation to recover from any or all of the other Corporations parties hereto such respective sums as the Association shall determine;

(*f*) The Association in lieu of holding the said debentures may lodge, pledge, hypothecate, charge and mortgage the same or any of them with or to a Trust Company or Corporation as Trustee for the holders of the bonds of the Association and for such purpose the Association may enter into, execute and deliver any Agreement, Trust Indenture or other document containing such powers, terms and conditions, and such mortgage, charge and pledge, including a mortgage and charge on the railway and every extension thereof and all the lands and interests in land, buildings, fixtures, improvements, terminals, rolling stock, equipment, income, tolls, revenues, sources of money, rights, powers, privileges, franchises and all other properties and assets, present and future, of the Association, as the Association in its sole discretion shall deem to be in the best interests of the Association and of the holders of said bonds, anything contained in this Agreement to the contrary notwithstanding, and the Association may assign and transfer to and vest in the said Trustee for the holders of the bonds of the Association all the rights, powers, privileges and remedies conferred upon the Association under this Agreement and all benefit and advantage to be derived therefrom; and in the event that the Association shall make default in payment of the principal of or interest on its bonds or in payment of the sinking fund provided in respect of its bonds, or in any other particular whatsoever under the Trust Indenture securing its bonds, and the Trustee thereof shall have determined or become bound to enforce the same and shall have declared to be due and payable the principal of the bonds of the Association issued under said Agreement, Trust Indenture or other document and all other moneys secured thereby, and shall have sold or otherwise disposed of any or all of the said debentures lodged, pledged, hypothecated, charged or mortgaged as aforesaid, and in the event of the proceeds from such sale together with any other monies then in the hands of the Trustee being insufficient to pay all monies owing under the said Trust Indenture and the bonds then outstanding thereunder, the Corporations agree with the Association that upon notification from the Association or said Trustee of the amount of such deficit they will pay to said Trustee the amount of such deficit in the same respective proportions as they shall respectively have deposited debentures with the Association as provided in this Agreement;

(*g*) The By-laws of the Corporations authorizing the issue of the debentures to be deposited with the Association under this Agreement shall in each case provide for the raising in each year during the currency thereof, of the annual interest thereon and in each year commencing at the expiration of not more than five years from the date thereof and continuing throughout the currency of said debentures, a specific sum which with the estimated interest at a rate not exceeding four per cent. per annum capitalized yearly will be sufficient to pay the principal of the said debentures at maturity; provided that in any year in which the Association shall have paid the whole or any part of the interest and shall have set aside the whole or any lesser proportion of the sinking fund required to be set aside by it as hereinbefore provided in respect to bonds issued by it and for which such debentures have been pledged as collateral security, the respective amounts to be raised by such Corporations for any year shall be reduced in the proportion which the amount of interest so paid or the amount of sinking fund so set aside by the Association bears to the amount required to be paid and set aside by the Association as aforesaid; and any interest and sinking fund moneys required to be raised by the Corporations hereunder shall be paid to the Association or in the event of the Association having pledged said debentures to a Trustee as aforesaid shall be paid to said Trustee for the holders of the bonds of the Association and shall be added to the sinking fund of the Association under the Trust Deed securing the said bonds, and the said Trustee may apply any such sinking fund so received toward the payment or retirement of any bonds of the Association under the terms of the said Trust Deed; provided further that in the event that the said Trustee shall enforce the

Trust Deed and sell or otherwise dispose of any or all of the debentures of the Corporations mortgaged, hypothecated or pledged thereunder to provide the necessary moneys required for the payment of the principal, interest and premium of the bonds of the Association after the application of the sinking fund moneys then available in the hands of the Trustee, the Corporations shall in each year thereafter in lieu of the annual sinking fund payments provided for under the respective By-laws authorizing the issue of their debentures so disposed of levy for sinking fund such amounts as shall be sufficient to meet at maturity the debentures so sold or otherwise disposed of; and provided further that any sinking fund monies raised by any Corporation in respect of that portion of its debentures if any which have been sold or otherwise disposed of by the Association or by the said Trustee hereunder shall not be paid to the Association or to the Trustee and shall be retained and dealt with by such Corporation to repay at maturity the debentures so sold or otherwise disposed of, in the manner provided by *The Municipal Act.*

5. Should any Corporation fail to perform any of the obligations to the Association under this Agreement, the Association may, in addition to all other remedies and without notice, discontinue the service of the railway to such Corporation in default until the said obligation has been fulfilled, and no such discontinuance of service shall relieve the Corporation in default from the performance of the covenants, provisos and conditions herein contained.

6. In case the Association shall at any time or times be prevented from operating the railway or any part thereof by strike, lockout, riot, fire, invasion, explosion, act of God, or the King's enemies, or any other cause reasonably beyond its control, then the Association shall not be bound to operate the railway or such part thereof during such time; but the Corporations shall not be relieved from any liability or payment under this Agreement and as soon as the cause of such interruption is removed the Association shall, without any delay, continue full operation of the railway, and each of the Corporations shall be prompt and diligent in doing everything in its power to remove and overcome any such cause or causes of interruption.

7. This Agreement may be amended by the Association and the Corporations with the consent of the Lieutenant-Governor in Council and the Corporations shall pass all such by-laws as may be necessary to authorize, confirm and carry out every such amendment, and every such amendment and this Agreement as so amended shall have force and effect as if the said amendment had been originally part of this Agreement and all by-laws passed and proceedings taken by the Corporations and by the Association in connection therewith shall be as effective as if taken originally under or in connection with this Agreement.

Provided that no such amendment shall in any way lessen or impair the obligations of the Corporations or any of them or of the Association under this Agreement in respect to bonds issued by the Association during the currency of this Agreement.

8. Every railway and all the works, property and effects held and used in connection therewith, acquired, constructed, operated and maintained by the Association under this Agreement and the said Act shall be vested in the Association on behalf of the Corporations; but the Association shall be entitled to a lien upon the same for all money expended by the Association under this Agreement and not repaid.

9. Each of the Corporations covenants and agrees with the other:

(*a*) To carry out the agreements and provisions herein contained;

(*b*) To co-operate by all means in its power at all times with the Association to create the most favourable conditions for the carrying out of the objects of the agreement and of the said Act, and to increase the revenue of the railway and ensure its success.

10. In the event of any difference between the Corporations, the Association may, upon application, fix a time and place to hear all representations that may be made by the parties, and the Association shall adjust such differences, and such adjustments shall be final.

11. This Agreement shall continue and extend for a period of fifty years from the date hereof, and at the expiration thereof be subject to renewal, with the consent of the Corporations from time to time for like periods of fifty years. At the expiration of this Agreement the Association shall determine and adjust the rights of the Corporations, having regard to the amounts paid or assumed by them respectively under the terms of this Agreement and such other considerations as may appear equitable to the Association and are approved by the Lieutenant-Governor in Council.

12. It is understood and agreed that the rates imposed for the share of the cost to be borne by those Municipalities listed in Schedule "C" attached hereto, shall be imposed upon the rateable property set forth respectively in the said Schedule.

In witness whereof the Association and the Corporations have respectively affixed their Corporate Seals and the hands of their proper officers.

SIGNED, SEALED AND DELIVERED
in the presence of:

WINDSOR, ESSEX AND LAKE SHORE
ELECTRIC RAILWAY ASSOCIATION,

.....
Chairman.

.....
Secretary.

THE CORPORATION OF

.....
Reeve (or Mayor).

.....
Clerk.

SCHEDULE "A" TO THE AGREEMENT.

ROUTE.

The railway extends in a general southeasterly direction from a location near the corner of Ouellette and Pitt Streets, Windsor to Leamington, being located on streets or public roads from Windsor to the intersection of the Michigan Central Railway, which railway is parallelled on private right-of-way to Maidstone from which point the highways are used or parallelled through Essex, Cottam, Kingsville, Ruthven to Leamington.

SCHEDULE "B" TO THE AGREEMENT.

Column 1	*Column 2*	*Column 3*
Total amount of bonds to be issued by the Association	Name of Municipal Corporation	Total amount of debentures to be issued by respective municipalities for deposit with the Association as collateral security for the Bonds of the Association
	Township of Sandwich West....	$49,500 00
	Township of Sandwich East....	50,589 00
	Township of Sandwich South...	39,457 00
	Township of Maidstone.....	53,218 00
	Township of Colchester North..	22,726 00
	Township of Gosfield North....	92,906 00
	Township of Gosfield South....	122,914 00
	Township of Mersea.....	45,749 00
	Town of Essex.....	72,303 00
	Town of Kingsville.....	93,731 00
	Town of Leamington.....	141,636 00
	City of Windsor.....	315,271 00
$1,000,000 00		$1,100,000 00

SCHEDULE "C" TO THE AGREEMENT.

(1) *Township of Sandwich West.*

That portion of the Township of Sandwich West described as follows: Commencing at the intersection of Tecumseh Road with the Huron Church Line Road; thence northeasterly along the Township boundary to the Town Line between the Townships of Sandwich East and Sandwich West; thence southeasterly along the last-mentioned Town Line to its junction with the boundaries of the Townships of Sandwich East and Sandwich South; thence southerly along the boundary between the Townships of Sandwich West and Sandwich South to its junction with Road between lots 305 and 306 in the Township of Sandwich South; thence northwesterly to the junction of the Road between concessions 4 and 5 with the Huron Church Line Road; thence northwesterly along the Huron Church Line Road to the point of commencement.

(2) *Township of Sandwich East.*

That portion of the Township of Sandwich East bounded on the Northwest by the Border Cities, on the Northeast by Pillette Road, on the Southeast and Southwest by the Township Boundary.

(3) *Township of Sandwich South.*

That portion of the Township of Sandwich South described as follows: Commencing at the junction of the boundaries of the Townships of Sandwich West, Sandwich East and Sandwich South; thence northeasterly to the eastern boundary of the Township; thence southerly along last-mentioned eastern boundary to the southerly boundary of the Township; thence westerly along last-mentioned southerly boundary to its intersection with the Pere Marquette Railway; thence northerly along said railway in concession 7 to the northerly limit of said concession; thence westerly along last-mentioned limit and its production to the boundary between the Townships of Sandwich West and Sandwich South; thence northerly along last-mentioned boundary to the point of commencement.

(4) *Township of Maidstone.*

That portion of the Township of Maidstone described as follows: Commencing at the junction of the boundaries of the Townships of Sandwich South, Maidstone and Colchester North; thence northerly along the boundary between the Townships of Sandwich South and Maidstone to the southerly limit of concession 9; thence easterly along the southerly limit of concessions 9, 8, 7, 6 and 5 to the Road between lots 12 and 13; thence southerly along last-mentioned Road to the northerly limit of lot 24; thence easterly along last-mentioned limit to the Road between concessions 1 and 2; thence southerly along last-mentioned Road to the southerly boundary of the Township; thence westerly along last-mentioned southerly boundary to the point of commencement.

(5) *Township of Colchester North.*

That portion of the Township of Colchester North described as follows: Commencing at the junction of the boundaries of the Townships of Maidstone, Gosfield North and Colchester North; thence southerly along the easterly boundary of the Township of Colchester North to the northerly limit of concession 10; thence southwesterly along last-mentioned northerly limit of concession 10 to the Road between lots 25 and 26; thence northwesterly along last-mentioned Road to the southeasterly limit of concession 12; thence westerly to the junction of the Road between concessions 12 and 13 with Road between lots 12 and 13; thence westerly to the junction of the Road between concessions 13 and 14 with the Road between lots 8 and 9; thence northwesterly to the northerly Township boundary at its junction with the Road between concessions 9 and 10 in the Township of Sandwich South; thence easterly along Township boundary to the point of commencement.

(6) *Township of Gosfield North.*

That portion of the Township of Gosfield North described as follows: Commencing at the junction of the boundaries of the Townships of Maidstone, Gosfield North and Colchester North; thence easterly along the northerly boundary of the Township of Gosfield North to the Road between lots 12 and 13; thence southerly along last-mentioned Road to the Road between concessions 10 and 11; thence easterly along last-mentioned Road to the Road between lots 18 and 19; thence southerly along last-mentioned Road to the Road between concessions 6 and 7; thence easterly along last-mentioned

Road to the Road between lots 18 and 19; thence southerly along last-mentioned Road to the Township boundary; thence westerly along Township boundary to the westerly boundary of Township; thence northerly along last-mentioned boundary to the point of commencement.

(7) *Township of Gosfield South.*

All of the Township of Gosfield South.

(8) *Township of Mersea.*

That portion of the Township of Mersea described as follows: Commencing at the intersection of the westerly boundary of the Township with the shore of Lake Erie; thence northerly along said westerly boundary to the Road between concessions 4 and 5; thence easterly along last-mentioned Road to the Road between lots 232 and 233; thence southerly along last-mentioned Road to the northwesterly limit of concession 2; thence southwesterly along last-mentioned limit to the northerly limit of concession 1; thence easterly along last-mentioned limit to the Road between lots 12 and 13; thence southerly along last-mentioned Road to the shore of Lake Erie; thence westerly following the shore of Lake Erie to the point of commencement.

(9) *Town of Essex.*

All of the Town of Essex.

(10) *Town of Kingsville.*

All of the Town of Kingsville.

(11) *Town of Leamington.*

All of the Town of Leamington.

(12) *City of Windsor.*

All of the City of Windsor.

Ontario.
18 George V, 1928.

BILL.

An Act to Authorize the Purchase and Operation of the Windsor, Essex and Lake Shore Rapid Railway.

1st Reading

March 30th, 1928.

2nd Reading

March 30th, 1928

3rd Reading

March 30th, 1928.

MR. POISSON.

TORONTO:
Printed by
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